

TABLE OF CONTENTS

Case #2014-185

<u>ITEM</u>	<u>PAGE NUMBERS</u>
WITNESS LIST	1
SUMMARY	2-3
ALLEGATIONS	4
INVESTIGATION	5-10
WITNESS OFFICER INTERVIEWS	
Deputy District Attorney Annette IRVING	11-14
District Attorney Investigator Jonathan SMITH	15-19
SUBJECT OFFICER INTERVIEW	
Sergeant Steven RIDDLE, ID 4311	20-94
CONCLUSIONS	95-126
DOCUMENT LIST	127-128

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division: Internal Affairs

Approved By:  *ADH* Date of Report: January 6, 2014

1-13-15

**San Diego Police Department
Investigator's Report**

Date of Incident: February 18, 2014
Time of Incident: 1045 Hours
Location of Incident: 1401 Broadway, San Diego, California
Subject: Internal Investigation I.A. #2014-185

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

SUBJECT OFFICER: **RIDDLE, Steven L., Sergeant, ID 4311**
Date of Hire: 02-11-1988
S.D.P.D., Southern Division - Third Watch
(619) 424-0400 (W)
W/M, DOB: [REDACTED]
5'10"/180 lbs.

WITNESS OFFICER: **IRVING, Annette H., Deputy District Attorney**
County of San Diego, District Attorney's Office - First Watch
(619) 531-3678

SMITH, Jonathan C., District Attorney Investigator
County of San Diego, District Attorney's Office - First Watch
(619) 531-3678

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: *M.N.* Date of Report: January 6, 2015

SUMMARY:

In February of 2014, Officer Donald MONCRIEF, ID 6388, was under investigation for on-duty misconduct committed on February 2, 2013. Officer MONCRIEF was interviewed by the San Diego Police Department's Sex Crimes Unit on February 19, 2014. During his interview, Officer MONCRIEF alleged he had previously spoken with Sergeant Steven RIDDLE, ID 4311, and had admitted to him that he had un-handcuffed his female prisoner and that he knew it was a violation of policy.

On February 25, 2014, Sergeant RIDDLE was interviewed by Sex Crimes Unit Detective Sergeant Mike HOLDEN, ID 4997. During this interview Sergeant RIDDLE said he had **no** recollection of ever speaking to Officer MONCRIEF about him having un-handcuffed the female prisoner.

On March 21, 2014, Sergeant RIDDLE met with Sex Crimes Unit Detective Leslie ALBRECHT, ID 4517. Sergeant RIDDLE reiterated the fact he had **no** recollection of speaking to Officer MONCRIEF about him having un-handcuffed the female prisoner.

On June 6, 2014, Sergeant RIDDLE was interviewed by DDA Annette IRVING and DAI Jonathan SMITH in connection to the criminal investigation involving Officer MONCRIEF. During this interview, Sergeant RIDDLE repeatedly stated he **did in fact** speak to Officer MONCRIEF about him having un-handcuffed the female prisoner. He offered vague details about the un-handcuffing, surmised why he thought Officer MONCRIEF may have un-handcuffed the female prisoner, and said Officer MONCRIEF admitted it was wrong to have un-handcuffed the female prisoner.

On November 12, 2014, Sergeant RIDDLE was interviewed by Internal Affairs. Part of this interview was to ascertain why Sergeant RIDDLE told Sex Crimes Detective Sergeant HOLDEN he **had not** spoken to Officer MONCRIEF about the un-handcuffing of the female prisoner but had told the District Attorney's Office that **he had** spoken to Officer MONCRIEF about the un-handcuffing of the female prisoner. During this interview, Sergeant RIDDLE repeatedly stated he **did not** speak to Officer MONCRIEF about him un-handcuffing the female prisoner and had **no recollection** of any such conversation if it had occurred. Sergeant RIDDLE conveyed when he testified to the District Attorney's Office and told them that **he did** have a conversation with Officer MONCRIEF about the un-handcuffing of the female prisoner; he in fact had **no recollection** of ever speaking with Officer MONCRIEF about the un-handcuffing of the female prisoner. When asked directly if he "**truly**" **had a memory** of talking to Officer MONCRIEF about the un-handcuffing of the female prisoner when he recounted the information to the District Attorney's Office, Sergeant RIDDLE said **he did not**. The information Sergeant RIDDLE provided in the District Attorney's interview appeared to be untruthful.

On December 10, 2014, Sergeant RIDDLE was re-interviewed by Internal Affairs in an effort to clarify his statements and to ascertain why on February 25, 2014, he told Sex Crimes Unit Sergeant HOLDEN he **had not discussed with or did not recall** ever discussing with Officer MONCRIEF the un-handcuffing of the female prisoner, but on June 6, 2014, had made repeated statements to the District Attorney's Office

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

that *he had spoken* to Officer MONCRIEF about the un-handcuffing of the female prisoner and *had* provided details about the conversation during the interview, and then contradicted himself during the Internal Affairs on November 12, 2014, by repeatedly stating he *had not discussed with or did not recall* ever discussing with Officer MONCRIEF the un-handcuffing of the female prisoner. During this second Internal Affairs interview, Sergeant RIDDLE stated he *did not* speak to Officer MONCRIEF about the un-handcuffing of the female prisoner and had *no recollection* of ever having done so.

On December 16, 2014, DDA IRVING and DAI SMITH were both interviewed by Internal Affairs. Both DDA IRVING and DAI SMITH confirmed Sergeant RIDDLE, during their official investigation, led them to believe he discussed the un-handcuffing of the female prisoner with Officer MONCRIEF and that Officer MONCRIEF admitted it was a violation of policy. Both DDA IRVING and DAI SMITH said if they learned Sergeant RIDDLE had been untruthful and admitted he *never* spoke with and *had no recollection* of speaking with Officer MONCRIEF about the un-handcuffing of the female prisoner this would be detrimental to any attempts of future prosecution of the criminal case.

In April of 2014, Sergeant RIDDLE received a text message from Officer MONCRIEF in which Officer MONCRIEF provided possible incriminating information. Sergeant RIDDLE did not provide this information to the Sex Crimes Unit.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.J. Date of Report: January 6, 2015

ALLEGATIONS:

1. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, dissuaded Officer Donald MONCRIEF, ID 6388, from divulging pertinent information during a criminal sex crimes investigation.

2. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, received a text message from Officer Donald MONCRIEF, ID 6388, in April 2014. The text message contained possible incriminating information relating to an active sex crimes investigation Sergeant RIDDLE had knowledge of. Sergeant RIDDLE failed to provide provided the information to the Sex Crimes Unit.

3. PROCEDURE

Sergeant Steven RIDDLE, ID 4311, was untruthful in matters relating to his duties.

4. CONDUCT

Sergeant Steven RIDDLE, ID 4311, displayed conduct unbecoming of a San Diego Police officer by being untruthful during an official investigation during the performance of his duties.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.V. Date of Report: January 6, 2015

INVESTIGATION:

On August 21, 2014, at 0900 hours, Lieutenant Matt NOVAK, ID 5098, assigned Internal Investigation 2014-185 to me. The investigation deals with Sergeant Steven RIDDLE'S actions relating to Internal Investigation 2014-085.

On August 21, 2014, at 0933 hours, I obtained the Human Resources Employee Data sheet for Sergeant Steven RIDDLE, ID 4311. I placed a copy in the case file.

On August 21, 2014, at 0630 hours, I reviewed items from case 2014-085 that pertain to this investigation.

I placed two emails into this case file. One email was from Detective Garrick NUGENT to Lieutenant Charles KAYE. It described Sergeant RIDDLE'S interview with Deputy District Attorney Annette IRVING and mentioned a seemingly crafted text message from Officer Donald MONCRIEF, ID 6388, to Sergeant RIDDLE.

The email states:

From: "Nugent, E. Garrick" [REDACTED]
Date: June 10, 2014 at 11:32:17 AM PDT
To: "Kaye, Charles" [REDACTED], "Holden, Mike" [REDACTED] >, "Dobbs, Matthew" [REDACTED] >
Subject: Moncrief Update

Gentlemen,

I just spoke to Annette and she informed me that the interview with Riddle was a mixed bag. She felt he was beating himself up because he missed the signs regarding Moncrief. On the other hand, Annette felt he was deceptive when questioned about other issues regarding Moncrief and his interaction with the sergeant and officers on his squad. During the interview Riddle revealed that he received a text from Moncrief after his interview. Annette described it as being well crafted, as though perhaps he had spoke to his attorney before sending the text. When asked why he never told anyone about the text, Riddle said he thought it wasn't important and that the issue was dead in the water. Annette and JC recorded the text.

Annette is having a one on one meeting with the victim tomorrow and after that will be evaluating the potential of prosecution. According to Annette, there are no other issues that need to be address by us at this time.

Garrick Nugent | Detective
San Diego Police Department
Sex Crimes Unit
p. (619) 531-2781
e. [REDACTED]

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: [Signature] Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 6

Another email was from Deputy District Attorney Annette IRVING to Detective NUGENT and Detective Leslie ALBRECHT. It contained a text message sent from Officer Donald MONCRIEF, ID 6388, to Sergeant RIDDLE.

The email states:

From: Irving, Annette [REDACTED]
Sent: Tuesday, June 10, 2014 3:31 PM
To: Albrecht, Leslie; Nugent, E. Garrick
Subject: Moncrief's new text just provided by Riddle

April 2014

"Hey Sarge. Cesar told me he talked to you. I was reluctant to talk to you because you really became almost a father figure to me. I wanted to be like you more than anything. I know I'm not supposed to talk about this stuff and I'm sure if this does go to court (even though Rick keeps telling me that it's going to get dropped) you will have to testify but I want you to know the truth. I'm sorry for bringing you in on all this shit. I couldn't bring myself to tell you about her master bating in the back seat because I was embarrassed that my actions allowed that to happen and that she felt like I was a weak enough cop that she could get away with it. But once I cuffed her around the corner from Colinas she was fully clothed and I never touched her in any way. I thought at the time she was trying to set me up but if I reported it I would also have to report that I left her uncuffed. I was paranoid about it for 3 months. I figured the next time she was arrested she would tell the officer that the cop who arrested her last time left her uncuffed and she was able to masterbate in the back seat. She was the original person who gave me [REDACTED] nickname and a bunch of other stuff. I just thought if I showed her the courtesy of riding to Santee uncuffed she would keep giving me info. I was so consumed with getting good gang info. I'm sorry that I let everyone down but most of all I let you down and now I will never get to be a detective anyway."

Annette H. Irving

Deputy District Attorney

Special Operations Division

(619) 531-3678 (tel)

(619) 685-6689 (fax)

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 7

I copied an audio/video recording from Sex Crimes investigation 14-007010 in which Officer MONCRIEF is listed as a suspect. The recording is of Officer MONCRIEF'S sex crimes interview.

I also copied Officer MONCRIEF'S transcribed interview from sex crime case 14-007010.

During the sex crime interview, Officer MONCRIEF states in part:

I told Sgt Riddle that I did. And I did... I unhandcuffed her when we went from headquarters to Los Colinas. I did unhandcuff and she was in the back unhandcuffed. I told him that it was a violation I know. But I did unhandcuff her.

And,

You can ask Sgt. Riddle yourself. I seriously said. When I told him about it I said the two things I know is for a fact...one that I probably should have handed her over (to Gangs). And two was that I did unhandcuff her on the way there. And he said you don't have to mention that.

And,

So help me God, I will take a lie detector or a polygraph, I did tell Sgt. Riddle that she was unhandcuffed. But he is not the one on the hot seat.

I copied a compact disk from Sex Crimes investigation [REDACTED] containing text messages sent between Officer MONCRIEF and Sergeant RIDDLE. I printed copies of the text messages. I placed the compact disk in the case file. I placed copies of the printed text messages in the case file.

The text messages are discussing Sex Crimes investigation [REDACTED]. The messages state:

Inbox	➔ [REDACTED]	2/19/2014 12:29:32 AM(UTC+0)	Read	Are you available for a call
Inbox	➔ [REDACTED]	2/19/2014 1:50:53 AM(UTC+0)	Read	Sarge anything you can find out just text me or leave me a voice mail. I don't want my wife to feel as freaked out as I do.
Inbox	➔ [REDACTED]	2/19/2014 3:35:15 AM(UTC+0)	Read	Also I know your busy but do you have Jonathan Weise's number. I have never had to go up to the 7th floor and just in case it goes how I'm fearing it might I want to have someone I trust with me.
Inbox	➔ [REDACTED]	2/19/2014 7:40:40 AM(UTC+0)	Read	I haven't slept at all

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Complaint: Internal Investigation I.A. #2014-185

Page 8

Sent [REDACTED] 2/19/2014 11:22:44 AM(UTC+0) Sent

I am fine. This is nothing to stress over. There was nothing but honorable meaning behind your actions. You did what any Godly man would. You actually care about people and even though you love to lock up the bad ones you want to see the good/ potential in people. I have had the opportunity to get a small handful of people out of the gang and drug life. It never would have happened if I hadn't reached out with some compassion. You did a good thing. Get some sleep. I will talk with you some more tomorrow at work. God bless. :) ~~XXXXXXXXXX~~

I copied an audio recording from Sex Crimes investigation [REDACTED] of a voice mail message left on Sergeant RIDDLE'S telephone by Officer MONCRIEF to a compact disk. I placed the compact disk in the case file.

I copied page 28 of Sex Crimes investigation [REDACTED] completed by Detective ALBRECHT, showing a transcription of the voice mail message left on Sergeant RIDDLE'S telephone by Officer MONCRIEF. I placed a copy in the case file.

The telephone message states:

Sarge hey it's Don...Ummm, Hey I ahh...that, that secondary number that I used to have...well I mean I still have it...I just ...the phone got wet so I don't use it. I haven't used it for about a month. But...umm, I actually called it from my regular phone and just to check the voice mail to see if I received any weird calls from there. Because that's the number I thought I had given her when I, back you know a year ago. And there was a message from her. And there was also a message from a female detective. Trying to find out who the call was from... like who belongs to that cell phone. So...or who's the owner. Uhhmm...I fricken was because I was trying to figure out the little buttons on my regular phone on how to ...on how to ahh re-play it to write down the number I ended up deleting it. So I have no idea who it is. So I don't know if this is a good thing or a bad thing. But II don't...I've never been in this situation. I'm just freaking myself out I think. I think I'm making it worse but...I contacted ahh...Chief Vasquez because he... you know we have a relationship. He was my Captian you know and everything. I trust him. So I told him what I ...what I received, what I was thinking. What I was kind of worried about. And uhhh...you know...and now I got a call back from a Sgt Holden at sex crimes. And I'm like...sex crimes. That's, that's weird to me, so. I don't know...I thought maybe I would get a call back from somebody from I.A., but its sex crimes. So I'm like really kind of weirded out by this whole thing. Uhhh... I ...he wants me to try and go up there. I told him I'm working right now but I was going to call a sergeant and see if I could get a relief. But I don't know what to do. To be honest with you. I don't know if this is a good move or a bad move. I don't know if I should be bringing a POA rep. I don't know why...this is weird. I don't know why I would be going to sex crimes ...to talk. So...uhmm...can you please call me back. I don't want to make a decision until I talk to you. Witch I should have just done in the first place and listen to you tell me not to worry about it. But just something bothers me about it. But you're probably right. It probably just has to do with everything that's going on with you know the dept but it's still something bothered me. Alright thanks Sarge.

Reporting Officer:	Bret A. Righthouse, Sergeant	ID:	4173	Division	Internal Affairs
--------------------	------------------------------	-----	------	----------	------------------

Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 9

I copied an audio recording from Sex Crimes investigation [REDACTED] of Sergeant HOLDEN conducting a telephone interview with Sergeant RIDDLE on February 25, 2014, to a compact disk. I placed the compact disk in the case file.

On August 25, 2014, at 1020 hours, I telephoned Deputy District Attorney Annette IRVING. I requested a copy of their interview with Sergeant RIDDLE conducted on June 6, 2014.

On August 28, 2014, at 1307 hours, I received an email from Jonathan SMITH of the San Diego County District Attorney's Office. Attached to the email was the District Attorney's transcript of Sergeant RIDDLE'S interview. I reviewed the transcript. I printed a copy and placed the copy in the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

On September 11, 2014, at 1408 hours, I received an email from Net Transcripts containing the transcribed interview between Sex Crimes Detective Sergeant HOLDEN and Sergeant RIDDLE. I reviewed the document. I printed a copy for the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

I compared Sergeant RIDDLE'S statements during the Sex Crimes interview with his statements during his District Attorney's interview.

On October 30, 2014, at 1303 hours, I sent Sergeant RIDDLE a Department email. I notified him of this investigation, of the allegations, and of his right to representation during the interview. I scheduled his interview for November 12, 2014, at 2200 hours, at Northeastern Division. I requested he telephone to confirm his interview. I provided my Department cellular and desk telephone numbers.

On November 12, 2014, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On November 20, 2014, at 0930 hours, I obtained Sergeant RIDDLE'S transcribed interview. I printed a copy and placed it in the case file. I placed a copy on a compact disk. I placed the compact disk in the case file.

On December 2, 2014, at 0930 hours, I sent an email to Sergeant RIDDLE requesting a follow-up interview on December 10, 2014, at 2200 hours, at Northeastern Division. I requested he confirm the interview appointment. I provided my desk and Department cellular telephone numbers.

On December 5, 2014, at 1605 hours, I received a telephone call from Attorney Rick PINCKARD on my Department cellular telephone. He confirmed Sergeant RIDDLE'S interview appointment and requested a return telephone call.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 10

On December 8, 2014, at 1227 hours, I telephoned Attorney PINCKARD. He confirmed Sergeant RIDDLE'S interview appointment. He requested a transcription copy of Sergeant RIDDLE'S interview conducted on November 12, 2014.

On December 8, 2014, at 1234 hours, I sent an email to Attorney PINCKARD. The email contained a transcription copy of Sergeant RIDDLE'S interview conducted on November 12, 2014 as an attachment.

On December 10, 2014, at 2230 hours, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On December 11, 2014, at 0903 hours, I telephoned DDA Annette IRVING. I left a message on her answering service. I requested a return telephone call. I provided my desk and Department cellular telephone numbers.

On December 12, 2014, at 1044 hours, I received a voice telephone message on my Department cellular telephone from DDA IRVING. I was unable to return her telephone call because the number she called from does not accept incoming calls or messages; (619) 531-1692.

On December 15, 2014, at 1204 hours, I telephoned DDA Annette IRVING. I left a message on her answering service. I requested a return telephone call. I provided my desk and Department cellular telephone numbers.

On December 15, 2014, at 1445 hours, I received a telephone call from DDA Annette IRVING. I scheduled an interview with her and DAI Jonathan SMITH on December 16, 2014, at 1400 hours.

On December 16, 2014, at 1416 hours, I interviewed DDA Annette IRVING at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

On December 16, 2014, at 1446 hours, I interviewed DAI Jonathan SMITH at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

All interviews were audio recorded, unless otherwise noted, and the recordings will be maintained with the Internal Affairs file. The statements are "in essence" synopses of the interviews. (For exact and complete details of the interviews, refer to the audio recordings.)

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 11

Witness Officer Interview: Deputy District Attorney Annette IRVING

On December 16, 2014, at 1416 hours, I interviewed DDA Annette IRVING at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

The following is a transcription of DDA IRVING'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. RIGHTHOUSE, ID 4173. It is December 16, 2014, at 1416 hours. I am at the Hall of Justice with DDA Annette IRVING. Can you state your name please?

IRVING: Yes, my name is Annette H. IRVING, I R V I N G.

RIGHTHOUSE: I'm going to ask you a few questions concerning an interview you did with Sergeant Steve RIDDLE in the MONCRIEF case.

IRVING: Okay.

RIGHTHOUSE: When you interview a police officer during an investigation do you expect the officer to be truthful?

IRVING: Absolutely.

RIGHTHOUSE: And why do you expect the officer to be truthful?


IRVING: Because we are relying on their word. We're going forward on potentially criminal charges that could impact a person's liberty and so we take that very seriously and we rely on witness statements including peace officer statements.

RIGHTHOUSE: Can false or misleading information damage the credibility of the officer?

IRVING: Yes absolutely it can hurt the officer's credibility in the case at hand as well as future cases that they handle.

RIGHTHOUSE: Can false or misleading information during an officer's interview have a negative impact on your investigation?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 12

IRVING: Absolutely because, again, we're relying on the truthfulness of that information and then that leads us to the next step that we're taking in our investigation and if we're relying on information that's false it puts everything into question.

RIGHTHOUSE: On June 6, 2014, you interviewed Sergeant Steve RIDDLE in regards to the case involving Officer MONCRIEF. In that interview, what did Sergeant RIDDLE lead you to believe concerning Officer MONCRIEF and his actions with the handcuffed female prisoner?

IRVING: In my meeting with Sergeant RIDDLE I understood that he had had contact; he had had conversations with Officer MONCRIEF and that Officer MONCRIEF had disclosed to Sergeant RIDDLE that he had handcuffed a female that he was transporting to Los Colinas.

RIGHTHOUSE: Did he say anything about taking the handcuffs off that female?

IRVING: Yes there were statements that Sergeant RIDDLE made that lead me to believe that MONCRIEF had disclosed that he had removed the handcuffs from the woman that he was transporting.

RIGHTHOUSE: There are various statements in your interview by Sergeant RIDDLE in which he says he spoke with Officer MONCRIEF via telephone, that Officer MONCRIEF told him he un-handcuffed the female prisoner and that Officer MONCRIEF admitted to him that he should not have done so. Are those statements by Officer RIDDLE documented accurately?

IRVING: You know I; are interview with Sergeant RIDDLE was audio taped and from that audio tape a transcript was created and so I do believe that that audio tapped transcript is an accurate representation of the statements that were made from Sergeant RIDDLE during that interview.

RIGHTHOUSE: How was the information about Officer MONCRIEF having un-handcuffed the female prisoner, and knowing it was wrong, pertinent to your investigation?

IRVING: We believed that Officer MONCRIEF had committed sexual crimes against a female transportee. We believed that some of the lead up to these crimes included the un-handcuffing of the, of the, female. It was something that the victim had disclosed to law enforcement and to the District Attorney's Office and when we found out that Officer MONCREIF, in his own interview, corroborated that information that of course, for us, made us, you know found the victim to be more credible so to speak. It was a piece of information that corroborated what the victim had told us.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 13

RIGHTHOUSE: Okay, then in Sergeant RIDDLE'S interview, saying that he had talked to MONCRIEF, that also corroborated that evidence when Sergeant RIDDLE said that MONCRIEF had told him also that he had un-handcuffed the prisoner?

IRVING: Absolutely. It was fresh reporting so to speak that MONCRIEF had disclosed to the sergeant prior to being interviewed by Mr. HOLDEN in your office and that was significant; another piece of evidence that for us made our victim more of the truth teller so to speak.

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?


IRVING: It would be because, again, we rely so heavily on peace officer witness statements. We had no reason to disbelieve Sergeant RIDDLE at the time of the interview and I think that him coming back, if I were to learn that the information that he provided in that interview was false, um, that's concerning for all kinds of reasons. One is the target of the investigation already is a law enforcement officer and I think that, you know, adding additional law enforcement witnesses who; where their testimony or statement then turns out to be false, I mean I can't imagine how difficult that would make the prosecution to begin with of that officer if other officers, you know, that he, that the target officer came into contact with were also posing problems for the case. I can't imagine what a challenge that would be.

RIGHTHOUSE: How could these false statements by Sergeant RIDDLE effect your overall investigation?

IRVING: You know just piggybacking on my last statement, my last response, I think in prosecutions of law enforcement officers it is so critical to have a clean investigation so to speak and reliable statements, reliable evidence, and I just, I think already it is such a challenge to go forward in this type of prosecution that then to add another problematic witness, so to speak, in the mix. I just; it could make the burden insurmountable. It could be very, very problematic if we find out that a statement from a law enforcement officer is not in fact the truth and that we had relied upon that statement in our investigation and in our charging decision.

RIGHTHOUSE: One last question. Do you think it reflects negatively on the officer and the police department to have an officer give you false and misleading information in an official investigating?

IRVING: Yes.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report


Complaint: Internal Investigation I.A. #2014-185

Page 14

RIGHTHOUSE: And why?

IRVING: Because we rely so heavily on police officer statements. As an officer of the court we make representations in what peace officers tell us for bail review; instances where we have reliance for search warrants; in support of search warrants or arrest warrants where their word is absolutely relied upon to search a house, to arrest an individual, to lead to the prosecution and conviction of an individual, so those; the truthfulness of those statements are absolutely paramount and I think that if there are instances where a statement is found to be untrue that could be very damaging for the officer and for the agency which he works for.

RIGHTHOUSE: I thank you for your time. It is about 1425 hours and that will conclude the interview.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Witness Officer Interview: District Attorney Investigator Jonathan SMITH

On December 16, 2014, at 1446 hours, I interviewed DAI Jonathan SMITH at the Hall of Justice. I placed the audio recording of the interview on a compact disk. I placed the compact disk in the case file.

The following is a transcription of DAI SMITH'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. RIGHTHOUSE, ID 4173. It is December 16, 2014, at approximately 1446 hours. I'm at the Hall of Justice with DAI SMITH. Can you state your name and ID number please?

SMITH: J.C. SMITH; 157.

RIGHTHOUSE: This interview has to do with an interview that you conducted with DDA IRVING with Sergeant Steve RIDDLE involving the Officer MONCRIEF case.

SMITH: Okay.

RIGHTHOUSE: When you interview a police officer during an investigation do you expect the officer to be truthful?

SMITH: Absolutely.

RIGHTHOUSE: Why do you expect the officer to be truthful?

SMITH: Well, anytime we interview a law enforcement officer we expect them to be truthful because their credibility effects far more than our case. We expect total cooperation and truthfulness to help us in our investigation. We're all kind of on the same page and you know, doing these investigations so anytime we use law enforcement, yeah we absolutely expect them to be truthful.

RIGHTHOUSE: Can false or misleading information damage the credibility of the officer?

SMITH: Absolutely. Not just in our investigation but in any investigation.

RIGHTHOUSE: And how so?

SMITH: Police officers have ah, you know they send people away to prison based on their credibility and if an officer is known to lie or give false or misleading information

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 16

purposely, it creates all kinds of problems. Not just for individual officers but for cases, the Department and you know it can affect an officer's entire career if they end up on the Brady List because of false or misleading information or outright lies.

RIGHTHOUSE: On June 6, 2014, you interviewed Sergeant Steve RIDDLE in regards to the case involving Officer MONCRIEF. In that interview, what did Sergeant RIDDLE lead you to believe concerning Officer MONCRIEF and his actions with the handcuffed female prisoner?

SMITH: We talked about it. The best that I can remember is, I think initially he told me that he didn't have any recollection of a conversation like that, um, as we continued to talk about it he told me that he did have a vague memory of a conversation where MONCRIEF said something to the effect that the only thing I did wrong was un-handcuff her; something like that. And I had some follow up questions for RIDDLE; we talked about that. He told me through our conversation that he didn't ask a lot of follow up questions with MONCRIEF when they discussed that and he, he being RIDDLE, thinks he drew the conclusion that MONCRIEF un-handcuffed the female prisoner so that she could shake her arms out of something. He said he felt bad that he didn't, didn't put it together. That it could have been, you know, on the way to Colinas or something other than something innocent. He said, he said he did recall the conversation and that he didn't think much of it; didn't think it was a big deal.

RIGHTHOUSE: There are various statements in your interview by Sergeant RIDDLE in which he says he spoke with Officer MONCRIEF via telephone, that Officer MONCRIEF told him he un-handcuffed the female prisoner and that Officer MONCRIEF admitted to him that he should not have done so. Are those statements by Officer RIDDLE documented accurately?

SMITH: Ah, yeah, they; the entire interview with RIDDLE was recorded.

RIGHTHOUSE: How was the information about Officer MONCRIEF having un-handcuffed the female prisoner, knowing it was wrong, pertinent to your investigation?

SMITH: Well there's a couple different ways that that was; that information was important. Credibility of the victim; which is important and in any case but particularly in a sex crimes like this was when it's the victims word against the suspect's word, specifically when the suspect is a police officer; that's huge. So any information that the victim might have talked about that, you know, we could, we could corroborate from another source, like un-handcuffing. For example if MONCRIEF, the suspect told RIDDLE that he did in fact un-handcuff her; that

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 17

would be big information because that would be consistent or inconsistent if he said he absolutely did not un-handcuff her with what the victim told us. So for one it goes to the victim's credibility and the nature of the crimes that occurred, it; what the charges would be, um, you know the potential charges for MONCRIEF would be very different if the victim is restrained with handcuffs or not restrained. One of the big questions in a case like this is not just did some type of sex act occur but was it willing or was it coerced or was it done by force or fear and the handcuffs or lack thereof would certainly play a role in that, although there's still the argument that it's a marked police car, a uniformed officer in a position of authority but the handcuffing played a big role in that.

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?

SMITH: If there was information that RIDDLE lied, yeah, that would bother me a great deal.

RIGHTHOUSE: Why?

SMITH: That affects the whole investigation really. I mean, we're trying to at the time when we're interviewing RIDDLE, we were weighing the facts and not just me and the DA, Annette IRVING, but all the way up to Bonnie DUMANIS, and we would have meetings frequently and talk about the alleged crime and how we were going to solve it and if; we would go upstairs and talk to other DA's who were helping make this decision and we're going up there with information, particularly from a police officer, and we think it's truthful and we're passing that information on, so it's disconcerting to me that you know, if RIDDLE or anyone else lies to me, and I go up and pass that information on and that information is false because it's going to affect not just the decision whether or not to charge a police officer with a crime, but it goes far beyond just our decision; future prosecution; credibility of the victim. It cuts to the credibility not just to, like I said earlier, not just to Sergeant RIDDLE but to the entire agency, as you know in the end when these things happen everybody kinds of gets looked at differently. But it also undermines, when an officer lies during an investigation, it undermines every future investigation that they do so it would bother me greatly if you told me that RIDDLE lied.

RIGHTHOUSE: You kind of hit on this already, but if there is anything you could add. How could these false statements by Sergeant RIDDLE effect your overall investigation?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.W. Date of Report: January 6, 2015

SMITH: Well the main thing is that, like I said, we were weighing the facts of whether to issue or whether to not issue. If we had more information that corroborated what the victim said and didn't have to go just based on the victim's statement, it could have changed everything. If MONCRIEF made statements to RIDDLE or anyone else who we spoke to, because we spoke to a number of police officers, and RIDDLE or anyone else had information that he did in fact drive her to Colinas without her handcuffs on or did other, had other behaviors that he might of done, um, it could have been just enough information to change the whole course of the investigation and have us go ahead and decide to prosecute MONCRIEF for the crimes. It would give the victim more credibility. It would give the victim more support. It would give the entire case more momentum and I think it would, it would possibly lead to other investigative avenues depending on what RIDDLE said.

RIGHTHOUSE: So with that information from RIDDLE, he's corroborating a statement, if you had made the decision to prosecute MONCRIEF and then found out that the information that RIDDLE had given you was false, would that be an issue?

SMITH: That would have been horrible and it would have been a high profile, very high profile mistake, which this also still has the potential to be but it would be, if we had decided to go forward and then later learned that we're going forward with false information, that, it's certainly not my decision, but I could speculate that it would probably be a case that we would have to, have to drop, you know if we have police officers coming forward that are, that are being untruthful about the case, one way or the other in favor, in one or the other, it uh, it's very difficult to prosecute a case when witnesses lie but almost impossible when cops lie.

RIGHTHOUSE: And one last question for you, if an officer gives you false or even just misleading information in an investigation that you're conducting, how does that reflect on the officer and our Department as a whole?

SMITH: I touched on that a little bit too. I think anytime an officer lies to me during an investigation, its one thing if guys are just smoking and joking and somebody gives some bad info about something, you know, about something that is innocuous. But false information during a formal interview that's recorded where were looking at the prosecution of anyone, let alone something as serious as an officer, that's absolutely blows any credibility of that officer would ever have with me and I don't speak for the DA's office but I venture to say the entire office. I mean that's ah, that's a Brady violation and it's an issue that's, um, really, really, career ending for officers when they lie during an investigation, particularly to the DA's office and it does reflect, you know, poorly on the Department where that officer is, in this case, the San Diego Police Department. It would reflect poorly on the San Diego Police

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 19

Department; however I think that would depend on how the police department handles that type of information. But it, it kind of puts everybody, not even just that department, but everybody in law enforcement in a bad spot and it makes it difficult for any officer to go up and testify based solely on their statements without records or videos or whatever. In this case it was a recorded statement. If that statement is proven false compared to other recorded statements, you know, I, that's a big problem.

RIGHTHOUSE: Would it make any difference if Sergeant RIDDLE told you this information because he's trying to help you out and he thought that that's what you wanted to hear, or is that still just a lie?

SMITH: I don't understand what, if he said that, I don't understand what he means by what I wanted to hear. Because what I wanted to hear was the truth and if I didn't get that he certainly didn't tell me what I wanted to hear. If he, if he later told someone that he gave me this information and this information is false because he thought that's what I wanted to hear, it makes me wonder about any case he ever did. I mean is he going to get on the stand and say what he wants the DA to hear. Is he going to testify to how one side or the other, his perception of how one side or the other wants, wants him to say? I mean that goes right to his integrity and his credibility and you know I have no idea why he would say something like that when what I only wanted was the truth.

RIGHTHOUSE: I thank you for your time. It's about 1500 hours and that will conclude the interview.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 20

Subject Officer Interview: Sergeant Steven RIDDLE, ID 4311

On November 12, 2014, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment.

The following is a transcription of Sergeant RIDDLE'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Sergeant Bret A. Righthouse, ID 4173. It's November 12, 2014, about 2207 hours. I'm in the Northeastern Division conference room with Sergeant Steven Riddle, ID 4311. Can you state your name please?

RIDDLE: Yeah, Steve Riddle.

RIGHTHOUSE: And with you is your employee representative uh, Rick Pinckard. Can you state your name please?

PINCKARD: Rick Pinckard.

RIGHTHOUSE: And with me is also Internal Affairs Sergeant Dan Sayasane. Can you state your name please?

SAYASANE: Dan Sayasane, ID 5680.

RIGHTHOUSE: At this time I'm gonna question you about procedures and conduct. My questions during this interview concern administrative matters relating to the official business of the police department. I am not questioning you for the purpose of a criminal prosecution. In a criminal investigation you have the right to remain silent and not incriminate yourself. However, since this is an administrative, not a criminal investigation a failure to answer my question could be insubordination and result in discipline up to and including termination. Any statement you make cannot be used against you in any criminal proceedings. In our Penal Code 832.7 the grand jury, Attorney General's Office or District Attorney's Office may have a right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used against you by any agency in any criminal proceeding. You're required to answer my questions fully and truthfully. This requirement is set forth in Sections 9.4 and 9.29 of the San Diego Police Department Policy Manual: 9.4 Obedience to lawful orders policy. Members shall promptly obey any lawful orders of superiors. This

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.V. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 21

includes orders relayed from the superior by someone of the same or lesser rank. 9.29 Truthfulness Policy. Members shall be truthful in all matters relating to their duties. Upon the order of a superior or any officers appointed by the Chief of Police to conduct internal investigations and in accordance with constitutional and contractual guarantees including the right to representation. Members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department. Refusal to answer my questions is in itself a violation of department policy and will subject you to disciplinary penalties. Do you understand what I've just explained to you?

RIDDLE: Yes, sir.

RIGHTHOUSE: Is there anything that prevents or may prevent you from answering my questions fully and truthfully?

RIDDLE: No.

RIGHTHOUSE: Do you have any questions concerning what I've just explained to you?

RIDDLE: No.

RIGHTHOUSE: And I order you to answer the following questions. I'm also ordering you not to disclose anything we discuss during this interview or anything regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination. Now what's your height and weight?

RIDDLE: Five-eleven, 180.

RIGHTHOUSE: And that's just a box on our form.

RIDDLE: Little unusual but that's all right.

SAYASANE: Often times these types of investigations require somebody to try to identify the right person.

RIDDLE: Yeah.

SAYASANE: I don't think that's the issue here.

RIGHTHOUSE: No. And how do you know - know uh, (Donald Moncrief).

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 22

RIDDLE: I met him when he came to my squad um, when I was a new sergeant down at Southern Division, um, and actually, I had - either got a call or an e-mail or something from him asking to go, and then got some information from uh, one of the other detectives in a gang unit that he had worked up there and spent some time doing some graffiti stuff and was interested in working with me 'cause I came from the gang u- gang unit when I went down to Southern Division. So, uh, I had a - had an opening and, you know, pick him up on the squad.

RIGHTHOUSE: Okay, so he worked for you.

RIDDLE: Yes, sir.

RIGHTHOUSE: Is he a personal friend with you also or just work relation?

RIDDLE: No, just - not - not any different than anybody else that I work with. I mean, I don't hangout with all the people that I work with other than at - at work. Um, so, no, just - I mean, an employee. I mean, he basically work for me.

RIGHTHOUSE: Okay.

RIDDLE: I mean, I consider him friends like I do the other people that I work with, but, yeah.

RIGHTHOUSE: Okay. And you're aware that the sex crimes investigation involved (Donald Moncrief), is that correct?

RIDDLE: Yes.

RIGHTHOUSE: And were you aware that the investigation involves a person named [REDACTED]?

RIDDLE: Yeah, I - I believe that was a name. Yeah.

RIGHTHOUSE: And you're aware that Officer (Moncrief) did arrest - had arrested [REDACTED]?

RIDDLE: Well, I know he arrested a female. I just don't recall the exact name. I think that sounds familiar. I remember the - some of the monikers and stuff more than I do some of the other - maybe some of the people, but um, yeah, I - I know he had arrested somebody um, and that was what everything was surrounding that's...

RIGHTHOUSE: What's...

RIDDLE: ...I mean, I don't know a whole lotta the details to be honest with you about all of it, so.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 23

RIGHTHOUSE: Right. And you're aware that Officer (Moncrief) received a telephone call about a year after he contacted [REDACTED]?

RIDDLE: Yes, that's what I was told.

RIGHTHOUSE: You were told...

RIDDLE: Yeah.

RIGHTHOUSE: When did Officer (Moncrief) and you first talk about the circumstances of his contact with [REDACTED]?

RIDDLE: Well, I'll - I'll do the best I can to give you the exact dates, but I mean, it's been a little while, and I know I've talked to several people. So I mean, some of those dates might be a little bit clear in some of those interviews that I gave, but - and I don't remember the specific date, but he called or e-mailed me, or sorry, texted me, and we spoke um, very - it was very short. He was kinda - kinda I guess worked up, which wasn't abnormal for him. I mean, he was wound a little tight, uh, but, you know, he was a good officer and did a great job out in the field, but seem to be a little excitable about things and worried a lot about stuff. Sometimes when he called and seemed a little uh, worked up like he did when he called. I didn't take a whole lot into it. And so when he called the first time and spoke with me um, it was, "Hey, I just uh - uh, got a message from uh, somebody to call - to call this female back, and I think I may have messed up." Like, "Okay, what - what do you mean may of messed up?" And I don't know how far - you want me just free talk and go through this and explain it or - I mean, I - I don't care. Uh...

RIGHTHOUSE: Well, uh...

RIDDLE: I mean I'm open. I mean, I - I...

RIGHTHOUSE: It - was it about February 18th...

RIDDLE: That - that'd be...

RIGHTHOUSE: ...(unintelligible).

RIDDLE: ...yeah, it was February, yeah.

RIGHTHOUSE: Okay. And then the circumstances of it was, that somebody that he had contacted and we contacted him.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 24

RIDDLE: Correct.

RIGHTHOUSE: And he was calling you...

RIDDLE: 'Cause...

RIGHTHOUSE: ...to tell you that that happened?

RIDDLE: He did.

RIGHTHOUSE: He called you?

RIDDLE: He said, "I think I messed up." I mean, I can explain what happened. I don't know if you want me to explain it or you want question/answer, how you wanna do it. I don't sit and do this all the time.

SAYASANE: I - I think whatever's gonna facilitate your ability to answer his question, whatever you're most comfortable with as long as it's uh, you know, response to his question then we can...

RIDDLE: Okay.

SAYASANE: ...we can try it that way and see if that cuts through the fat a little.

RIDDLE: All right, no, I'm - I'm fine with that. Uh, when he contact me he said that uh, I - I - been - "Somebody tried to reach out to me. Somebody I'd arrested before," um, and tryin- he gave me like part of the name. I don't even know that he gave me the whole name um, and that uh, "I think I may have messed up 'cause I gave her my cell phone number," and I'm like, "All right, you know, explain 'cause I - that doesn't make any sense." He goes, "Well, I kinda talk to her, and I, you know, kinda was trying to get somebody, you know, to like I do anybody that's willing to help out down the road," you know trying to look for that next source (unintelligible) CI, which I did my whole career. Most of the good, you know, crooks that I arrested are the - the good ones were the ones I ended up getting to be CI's down the road later on. So I - I pretty much push that with my officers. "Hey, look. You know what? Anybody that's open and willing to talk to you, you know, you wanna throw 'em a number to call you and we can get 'em hooked up to get 'em to talk to somebody. We'll get 'em plugged in with the detectives and, you know, we're obviously looking for the next person to point us in the right direction and start making some cases." So it seem like that's what was going on, and he was all freaked out about that. I said, "Now, I - I - I don't - I don't get this 'cause this is not a big deal." Um, I said, "You know if she calls back um, just tell her, "Hey, look. You know uh," get a good number where you can reach her and we'll set

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 25

up a time to meet with her." I'll get uh, one of the detectives at Southern Division I used to work with (Naganu) who I trusted. I knew would know how to handle a CI, 'cause not too many of the detectives in the division did. I said, "We'll get 'em hooked up with - with uh, that detective and, you know, somebody else, and - and uh, we'll get it - get it passed off and, you know, that - that's a good thing." And uh, his concern was, "Well, I gave her my personal number." I said, "I - I give my personal number out to all kinds of people. I'm not that worried about it." So I said, "That's not a big deal. Is there something else that's going on?" "No, that's - that's basically it." I said, "Dude, well, just relax, it's not a big deal. You know we'll - if the person calls back then - then let me know" and that was pretty much the gist of the - the first - probably first couple of conversations that I had with him, um, and that was...


SAYASANE: So he seemed to be focusing on something that didn't really seem that...

RIDDLE: Well, and I - I did- I didn't - I didn't under-

SAYASANE: ...important to you.

RIDDLE: Oh, no, not at all - not at all. I mean uh, in fact I wou- I was kinda gearing towards, you know, that was actually a good thing, you know, that he was getting this person to call back and give information and stuff. He did ask me, he said, "Hey, you know I was trying to figure out who - who - what the girl's name was, and who it was," um, and I didn't - I didn't - I didn't remember. I mean, I wasn't working - wasn't working for me at the time that the arrest happen, um, and uh, so I ask, "Well, can you, you know, run and see what her name was," uh, and information and stuff, and I said, "Well, yeah. It's not a big deal," 'cause my goal was we're gonna pass it on to the detective and - and find out what was up, and I remember pulling it up and running it, and I remember him sending me texts um, or leave me messages, "Did you pull up any information? Did you find out yet?" and I text him back, "Look dude, I've been busy. It's been a busy night. I'll get to it, all right? Don't worry about it. Just relax," and uh, I don't know that I even got back with him with any of that information. The next thing I got was, it was either a voicemail or a text from him in the middle of the night. I ended up working really late and went home and crashed, and he called, and I didn't even answer the phone 'cause I was trying to get some sleep before I had to go back to work, and when I got the phone message he was all panicked um, that he uh, and I don't remember exactly what he said, and - and I still have everything, and I gave everything to uh, (Leslie)? Is it (Leslie) in Sex Crimes?

RIGHTHOUSE: Sex Crimes, yeah.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 26

RIDDLE: Yeah. To (Leslie) and um, I know when I talk to the DA's Office I had another text that he had sent me down the road 'cause after all this happen where he went downtown, I didn't talk to him. I didn't deal with anymore um, and I (unintelligible)...

RIGHTHOUSE: Before he went for his Sex Crimes interview...

RIDDLE: Yeah, okay...

RIGHTHOUSE: ...how many - how many times...

RIDDLE: ...yeah, okay.

RIGHTHOUSE: ...did he call you and talk with you, or try an talk with you?

RIDDLE: Probably two or three times. Um, probably three and the third one probably when I - when I spo- well, that I actually had a conversation where there were messages and stuff that were left, uh, and when I spoke with him after he panicked he says, "I think I really messed up. I really messed up," and that's when I got (unintelligible) killing me, man. So I end up calling him back. He goes, "I think I really messed up now." Was like, "(Don), what the hell's going on?" Um, I kick myself because I - hindsight, I wish I'd have picked up on some of the signs, but he was such a spaz, I didn't even - didn't even think that, you know, he was - anything other than being normal there was something more to it. So um, when he called, he said, "Hey, you know what? I - I was uh, kinda freaking out about some stuff. I got a call from," how did he refer it - from a detective, I believe it was, um, and he goes - and - and the message that I got - I had it on my - on my phone and I was trying to save and accidentally erased it. I'm like, "Dude, slow down. Slow down. What - back up - back up. What's going" he goes, "Well, I kinda freaked out and a panicked and I called um, Chief (Vasquez) 'cause I was tight with him." Like what? Uh, so he said, "Yeah, I called and talked to him," and - and he uh, um, kinda told him what was going on. "I was - I was worked up about this." I go, "Dude, you're killing me." I said, "Look, if there's something more to this," I said, "Dude, I mean, you screwed up. You just jump like two chains of," you know, of uh, you know...

RIGHTHOUSE: Command?

RIDDLE: Command, yeah. And uh, and let me back up, but - 'cause prior to that when he first called he didn't work for me at the time. So he was working for (Terrance Sharlo). He had just gone over to work for (Terrance) and so called and gave (Terrance) some heads up. Said, "Hey, you know, he just - he called about this. I don't know what's going on. He's a little worked up, but just let you. I mean he's working for you. I think I've dealt with it, and kinda took care of it." Then I get the next call from him

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 27

about that um, and uh, he uh, saying that he's worked up and concerned about it, and he's got a - a message, let me make sure that's right. I - I, I mean I may have talked to him af- after that when he was getting en route - getting en route to go downtown because I know I called and talked to (Sharlo) and said, "Hey, um, he called and talked to (Vasquez) and totally jumped both of us and lieutenant and captain." I said, "You know we gotta get to them and let 'em know what's going on." I said, "If it works for you, do you want me to give lieutenant a call or do you wanna do it, or what do you wanna do?" And he goes, "No, I'll handle it. I'm on my way in." I said, "Okay, I'm changing. I'm on my way in too, um, and we'll deal with it," and then I talk with him again on the phone, I believe, and uh, he said, "I just got - I got a message I'm supposed to - they want me to go down and talk to (Holden), and uh, I said, "Okay," You know it's - I mean that's - I said - I said - I said, "Mike's a good guy." I said, "You know you - you need to go down talk," "Well, I'm kinda freaking out and I'm worried about what they think," or something along that line. I said, "Look." I said, "What - is there - is there more than going on you gave this girl your phone number," I said, "Cause that's not a big deal." I said, "The big deal now is you jump the chain of command. People are gonna be pissed," and that's really what I was gearing is what the big issue was um, and I didn't get much of a response back from him other than he was saying something, "Well, I just don't wanna see my name on the news," or something like that and, you know, "Having my son see that kinda stuff," and at that point I was like, "Dude, what - what the hell's going on?" I said, "Is there more than what were talked about?" "No - no, that's - that's all it is." I said, "Well, dude, you need to go down and talk to 'em. You need to go down and deal with 'em," and - and so (Mike) - trust me, I said, "I've known (Mike) a long time. He's - he's a good guy. I mean he's pretty straight up about things. Just go down," I said, "Where - where you at right now?" 'cause I knew he was - he was working. He was by himself. I said, "Where you at? I'll - I'll - I'm on my way in. I'll come meet you at uh, we'll go down - I'll go down there with you, and you can go down and talk to him." My goal was to try and get him - get him down there, and uh, he goes, "Well, I'm just - I'm getting off on Pershing right now." I said, "Okay, good." I said, "You need to call right now - call (Holden) and tell him you're getting off the freeway and you're on your way down there." So um, and I'd actually called and talked to (Mike), too, in between one of the uh, the - the second time that he called, and uh, said, "Hey, you know what? He's driving around out there." I said, "I don't know what's going on. I'm trying to get him to come down there." I said, "Do you want me to go meet him? Do you want me to get down there? What - what do you want me to do?" And - and (Mike) said uh, "No, he just - he just needs to come down here. It's not a big deal." I'm like, "Okay." I said, "Well, let me, you know, try and get him back down there." That - then I had the conversation with him getting off on Pershing. I said, "Well, just call him and let him know that you're on your way there," and then I indirectly instead of going trying to find where he was, I went to Southern Division. When I got down there I was gonna hook up with (Sharlo) and uh, (McMannis), and (Anastasia Smith) to make sure they

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 28

were 10 4 what's going on. So, I get there run into (Sharlo). The lieutenant and captain are gone and uh, then I - next message I get was secure his personal vehicle in the parking lot, and that's when like the light went on really bright which maybe shoulda gone bright earlier, but I was like, aw, shit, you know, that there was, you know, something more that was going on to it. So uh, that's kinda the way things went. I mean there were some text messages you had back and forth after finding out about him - after he finally got down there I started getting calls from his wife um, because I had met her actually at the hospital when he had had a - I would say a panic attack or something. I don't know. Thought he had a heart attack um, a few months earlier and I take - took him down to the hospital and hung out with him there the whole time and his wife came in. That's the first time I kinda met her. Um, then I met her one other time when the whole squad got together for dinner, like as a squad kinda thing. Uh, but then she - she started calling saying, you know, "I'm trying to get a hold of (Don). He's not answering." "Well, I don't - I - I don't know where he's at. I haven't seen him. If I see him I'll have him call you." I knew where he was but I hadn't seen him, and I said so, you know, I - I don't know what's going on. Then she sends me a text, you know, "I'm worried. He's freaking out. I don't know what's going on." I said, "I don't know what's going on either. As soon as I see him I'll have him give you a call," and that was kinda the last conversation I had with her. There's a text and a phone call, and then I just didn't answer anymore. Uh, and uh, like I said, then - then I heard, you know, go secure his car for uh, you know, at the - put somebody out on it so that it doesn't get uh, get messed up or anything. I mean that's - that's about it. Then I get - a period of time goes by. I go away to the - the sergeant school for the two weeks and I get a call from (Holden) to talk to (Holden), and I talk to him on the phone for a little bit then I end up talking to (Leslie) for a little bit. Then I end up talking to uh, DA's Office. They came and interview me about all the stuff that was going on, and - and here with you, so.

RIGHTHOUSE: All right.

RIDDLE: Hopefully that short cuts stuff a little bit, whatever other questions you had.

RIGHTHOUSE: You - you talk to (Moncrief) multiple times on the phone. He left you a couple messages.

RIDDLE: Yes.

RIGHTHOUSE: And some text messages. Did you ever meet him in person?

RIDDLE: No.

RIGHTHOUSE: To discuss any of this?

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 29

RIDDLE: No.

RIGHTHOUSE: It was all on the phone...

RIDDLE: No, all on the phone.

RIGHTHOUSE: ...text messages.

RIDDLE: Yeah.

RIGHTHOUSE: Okay, and his demeanor you're basically saying he was freaked out, kind of a spaz, worried.

RIDDLE: But - yeah, he was but it wasn't...

RIGHTHOUSE: Calling the Chief's office.

RIDDLE: That freaked me out. I'll be honest with you. When that...

RIGHTHOUSE: But he was concerned about something.

RIDDLE: ...that - well that - I - I - I was fine before. That kinda set me off and I was trying to figure out what the hell was going on, uh, 'cause when he did that, and I - sometimes I didn't always understand the direction he went on things and why he got so worked up about stuff and - and until this time there was never anything to be worried about, um, I mean, 'cause I had him - kinda got him trained on doing search warrants and I mean, so any time I got him out to do an investigation sometimes he was unsure about it. He was like, "Did I mess up on it?" "Dude, relax. Just relax."

SAYASANE: Very - very high strung.

RIDDLE: A little bit, yeah. So I - that - that wasn't out of the ordinary for him. Out of the ordinary was when that call was thrown into the Chief. That blew me away and freak me out. I was like oh crap, 'cause now I was like, you know what? I - I don't know what's going on. Now it's gone way above and I haven't - I personally haven't talked to the lieutenant. I personally haven't talked to the captain, and I talk to (Terrance Sharlo), who is a sergeant, who I know was getting ready to pass that information on. We were getting ready to meet with him, but it - it totally went past that. So I'm like, crap. You know so that - I was - I was worried about that.

RIGHTHOUSE: What all did (Moncrief) tell you about the contact he had with this [REDACTED]?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 30

RIDDLE: Uh, all I knew - all I remember him telling me is...

RIGHTHOUSE: He said he got the phone call from her...

RIDDLE: The contact...

RIGHTHOUSE: ...and that's why he was worried. What did he tell you about the contact with the female?

RIDDLE: I don't even - to be honest with you, I don't even - I don't remember whether he had - he actually spoke with her on the phone or whether it was a voicemail or a message. I - I - I don't even remember to be honest with you. I - I - I - I just...

RIGHTHOUSE: But what did he...

RIDDLE: ...I know he - he got - he receive some kinda information about calling her back, and then one of the other times he said he received a call from a detective um, regarding her, and that's - that's the only time I - I don't ever remember him telling me, "I had this conversation with her, and this is what she said."

RIGHTHOUSE: What - what did he tell you about the initial contact?

RIDDLE: Oh, the arrest?

RIGHTHOUSE: Yeah.

RIDDLE: I - I don't remember him going into details about - about arresting her. I mean, I - and I don't even know that he told me. I knew for a 10 - I think it was for a 10 8 51, but I think that was when I pulled up the information, saw what the arrest was for, that I - that I caught that. I don't remember. He - he may have told me that. I - I don't remember, but I remember it was 10 8 51. Um, I - I don't remember going into a whole lotta detail about her because I wasn't that concerned about - about any of this stuff at - at that time because it was, all it was, was I hooked up somebody - I kinda, you know, talk with her on the way down. I think she's gonna be one - 'cause she was a gangster and just gonna have a lotta information that might be helpful down the road, which is what I was kinda mentoring and trying to get him good at doing, and he was doing a great job at - at the, you know, the gang and graffiti and all that kinda stuff down there, and uh, I mean, I - I - all I - all - all I assumed and talk with him about really the direction was, "Hey, it's not a big deal. That's good. You got somebody calling you back and, you know, hopefully we'll get her hooked up with somebody and get her, you know, throwing some information to cancel some stuff, and I - I - I don't remember getting a lotta details to be honest with you.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 31

RIGHTHOUSE: Okay, when - when he calls he's all freaked out. He told you he screwed up. He said he made a mistake.

RIDDLE: Right.

RIGHTHOUSE: Did he explain...

RIDDLE: Yeah, he said - he said, "I think I messed up.

RIGHTHOUSE: (Unintelligible).

RIDDLE: I think I gave her my phone number." I'm like, "Okay." He goes, "Well, I think that's against our policies." I said, "Well, not that I'm aware of, but, you know, I don't know. I - I'm not - I don't have the policies memorized, but I don't think that's any big issue. Um, he goes, "Well, you know, I - I - it was my personal number. I think that's a - that's a problem." I said, "I - dude, I - I don't know. I - I don't see it being as a pr- I - I don't know what's going on. I don't know why you're so worked up. This is not a big deal." I said, "It's actually a good thing. I'll get a hold of this detective," and I went through that whole route with him. That was the gist of the conversation. Um, you know, I - I don't - I don't remember going into other details with him about any of that stuff. Uh, so I mean, I - I don't know what else to tell you other than what I did.

RIGHTHOUSE: And you said you've given your telephone number out to people?

RIDDLE: Oh, yeah.

RIGHTHOUSE: Even your telephone number out to females?

RIDDLE: Oh, yeah. I - I - I'll be honest with you. The - the best CI's that I ever had were the females. I mean - and uh, but I mean, I - I - I know how to deal with - how to work with that. I know you have to have (unintelligible) and deal with all that stuff all the time as I'm sure you do deal with that stuff, uh, which is when he got the call back, I thought, "Hey, dude. This is not a big deal. Here's what we do. When she calls back we'll get her setup and we, you know, she meets with the detectives and, you know, you hand her off, and that's another good day."

RIGHTHOUSE: Do you think it's proper to give your telephone number out to a female to cultivate as a CI?

RIDDLE: Well, obviously, I've done it a buncha times. So I mean, I've given my cell number out for them to call. I still get calls from - usually when they get arrested, but...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 32

RIGHTHOUSE: Would it - would it necessarily worry or concern you if you gave your phone number out to a female CI - or a female that you wanted to be a CI or wanted information from, would it concern you that she called you back?

RIDDLE: No. I mean...

RIGHTHOUSE: Would - would you...

RIDDLE: ...that's how - that's how I contact 'em.

RIGHTHOUSE: ...would you be freaked out if a female you gave your phone number to called you back?

RIDDLE: No, that's how I got all my CI's.

RIGHTHOUSE: All right. Did it - did it seem - did it seem odd to you that (Moncrief) was so concerned and freaked out over a female calling him back when he, himself gave her the phone number?

RIDDLE: I'm sorry, back up. So...

RIGHTHOUSE: Did...

SAYASANE: I think what he's asking is...

RIGHTHOUSE: ...did it seem - did it seem odd to you that when (Moncrief) calls you and he says, "Oh my god. I made a mistake. I'm really freaking out," you know, whatever, "Oh my god," that what he did was give his phone number to a female and said, "Hey, if you got anything call me."

RIDDLE: Right.

RIGHTHOUSE: Did it seem odd that he's freaked out that someone he gave his phone number to called him?

RIDDLE: Well, obviously now it does. At the time it didn't. I mean it - it - it - because that was his normal behavior to kinda be a little high strung like that, and I mean he - he usually get upset or upset - he used to get worried I would - probably the easiest way to say it, about things that really there wasn't anything - any reason to worry about. Um, you know, I use to tell him, "Dude, your intentions are to do this, and this, and this, and you're - and you're being noble in what you're trying to do," which is what I - I - a text

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

that I sent him, um, I don't know if you ever read it or you've gone through all the stuff.

RIGHTHOUSE: Yes.

RIDDLE: I'm sure you did. You know said, "Dude, you're - you're doing the right thing." So I mean, even the text I sent him, which was fucking long, I know, and I still have all that stuff, was, you know, "Don't stress about this." I said, "You've - you've done the right thing. If you're worried about somebody giving your phone number and somebody calling you back that this is a bad thing," I said, "it's - it's not a big deal. It's just how we handle it from here," and that was the conversation we had. I didn't - I mean, obviously now, obviously I know there's a lot more to it, but at the time I - I didn't think it was a big deal. His behavior was unfortunately somewhat normal for him being worked up.

RIGHTHOUSE: So as worked up as he seem to be over something that seems to be very simple.

RIDDLE: It did, but that was...

RIGHTHOUSE: He gave - he gave...

RIDDLE: ...but that was normal.

RIGHTHOUSE: Okay. He gave his number to somebody and said, "Hey, call me," and they did.

RIDDLE: Right.

RIGHTHOUSE: And he's that freaked out over it. Did you question him about that at all? "Why are you so freaked out?"

RIDDLE: Ye- yeah, and I...

RIGHTHOUSE: Did you ask him direct questions about what may or may not have occurred?

RIDDLE: Well, I think I said that to you before. I mean, the only conversation I had with him was, "Well, dude. Her giving you the phone number is not a big deal. I mean if she calls you back and we get her plugged in with the detective and you guys sit down and, you know, you hand her off to somebody else." I said, "You know is - is there - is there more? Is there something else?" I mean, uh, other - and - and, "No, I just - I gave her the number but I gave her my cell phone number. I think I messed up." "No, just trust me. It's not that big a deal." So I kind of put it to rest that it wasn't a big deal; didn't worry about it too much until things started progressing.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 34

PINCKARD: (Don)'s the kind of guy that if you say, "Good morning," to him he'll ask you, "What do you mean by that?"

RIDDLE: Exactly.

PINCKARD: I mean that's...

RIDDLE: And - and I don't know how to articulate it any more.

PINCKARD: You - you guys didn't have an opportunity to uh, to interview him because he - he resign uh, prior to being interviewed, but uh - uh, I mean, I can tell you, I've spent hours on the phone with him and he is just...

RIDDLE: Excuse me just a second.

PINCKARD: ...very, very uh, he's very suspicious. He's very emotional. He's - every conversation I've had with him has been uh, some aspect of having to, "Okay, calm down. You know you're getting spun up over nothing. You know that's not healthy. Let's get to what we need to talk about." I mean, that's just the way he was.

RIGHTHOUSE: Did you have any inclination from talking to (Moncrief) - and I'm gonna phrase this in a...

RIDDLE: Excuse me.

RIGHTHOUSE: ...different way here, but if there was anything sexual in nature however slight - attraction to one party or the other involved in that situation with (Moncrief) and this girl?

RIDDLE: No. I mean, well not until I heard that he needed to go see (Holden). I mean, that was the first point. I was like um, you know, I still didn't know what it was, but I'm assuming there was a little more - more to it, because he was directed to go down there, but my biggest - my first thought was, you know, it's because he called directly up to the Chief and it started flowing down, and I wasn't sure what role (Holden) was playing -- if he was a captain in charge of a certain area. I - I didn't know exactly what he was doing. I just, you know, like I said, I told 'em. I said, "Look, he's pretty straight - pretty straight shooter. Go talk with him. It's not a big deal." Uh, I have no idea what his thought of her was or I never had any discussion with him about her.

RIGHTHOUSE: And do you - do you say anything to (Moncrief) about her being interested in him?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 35

RIDDLE: You know uh, he - he may - I think - yeah, I think he did say something about it. I think - I think she was kinda - kinda sweet on me. Uh, yeah, I think - I think I remember him saying something, "She was kinda sweet on me," and I said, "Well, that's not a big deal." I said, "Unfortunately, I had a lotta my CI's, you know, really like me and," I said, "It was usually the rather big ones um, that were really, you know, taken," I said, "And - and that's fine." You know if I'm a nice guy and they're used to being treated terrible all the time and I'm actually treating them nice and they actually, you know, like me as a person, that's fine. I use it to my, you know, my benefit to, you know, to get what we need to get out of 'em, and - and uh, and use 'em as a successful source. So when he said that I - I remember kinda thinking about that, but I didn't - I - I didn't - I didn't even put it together that there was something else going on.

RIGHTHOUSE: So you talk to him about some type of attraction that she had.

RIDDLE: Well, I just - I - I - I - I, Well, I just remember him saying something about, "I think she was sweet on me."

RIGHTHOUSE: And you had...

RIDDLE: And I remember laughing and saying, "Yeah, I - I - I've had that with some of the girls I had," and just like I told you, I - but I don't remember it going any further in any other discussion other than - than that, 'cause we went right back to the, "This is not a big deal. We'll get you hooked up with a detective."

RIGHTHOUSE: Did (Moncrief) tell you that he un-handcuff (Flores)?

RIDDLE: And I - I don't remember any of that conversation. That was what I talk with um, (Holden) about and he had asked. He said, "Did she mention anything about being un-handcuffed?" and I said I - I don't recall him saying anything about that, and I don't remember anything in the conversations or text messages or anything about that. If he did, I - I - I don't remember. I mean, I try and remember as much as I can. Ask my wife. I don't remember everything that happens and every conversation I have, so, uh, you know, I apologize. I - I - I don't remember having that conversation.

RIGHTHOUSE: You don't - you don't remember him saying anything about having un-handcuffed her?

RIDDLE: Un-handcuffed her? I - I don't, and I - and that's been the whole problem with this whole thing all along, and I've gotten hit up by uh, Sex Crimes about it, and - and if he did, I didn't take any uh, I did- obviously I didn't focus any attention on it enough to even remember it. So I don't remember the - the depth of it. I mean, I'm not saying he didn't. I - I don't know. Maybe he did. I - I - I - but I don't remember having that conversation with him.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 36

RIGHTHOUSE: So if he woulda told you something about being unhan- or having un-handcuffed her, you think you would question him about that?

RIDDLE: Probably, but I - I mean, I can't answer that because I don't remember having...

PINCKARD: You don't remember.

RIDDLE: ...having the conversation, so, you know, how it came out, I - I don't know. I mean, I can't...

PINCKARD: I don't want you to guess and I don't want you to speculate.

RIDDLE: I don't. I mean, I - I just -

RIGHTHOUSE: So you don't. Do you recall giving (Moncrief) any advice about what to talk to the Sex Crimes about concerning handcuffing?

RIDDLE: Well, not if I don't remember having the conversation. It's a little hard to say I said anything 'cause I don't remember having a conversation. So, I mean, I would never - I mean, I directed him to go - ask him to go down there and talk to him. I mean, that was my whole goal was to get him down there uh, and I - I mean, I've been on this job long enough. I know that being straightforward about things and be honest about stuff is - even if you do make a mistake is the best way to, you know, work your way through stuff. I never would've, you know, intentionally directed him to go down there and be untruthful about anything, which is what I keep kinda getting thrown my way, but I - I don't remember having the conversation with him, so I - I don't know what - what else to tell you about how that went when I don't - I don't recall having the conversation.

RIGHTHOUSE: Would you have told him anything about not volunteering information or anything around that - those lines?

RIDDLE: I - I - not...

RIGHTHOUSE: Don't - don't tell 'em if they don't ask, anything like that?

RIDDLE: Not - well, I mean, like I said, I never would've intentionally directed him not to be truthful. That would've of been my - I mean, I never would've done that intentionally, so I - I - I don't know. I mean, during our conversations, I don't know if - how things were perceived or what - how - how it happen, but I don't remember having a conversation with him about the cuffs. I don't remember directing him to be untruthful about anything, which I'm assuming what you're asking. I mean, if anything I was

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.W. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 37

trying to do everything I could to try and get him to go down there and deal with the drama that he had, which like I said, to me at the time was the fact that he jump those - that chain of command and I'm just - I was kinda freaked out about the fact that it - it went that direction and unknowing what was happening, and even to this day I still don't know other than watching the news, what happen with this whole thing.

RIGHTHOUSE: Okay. When you talk to (Holden) it was about five days, maybe six days may- maybe after uh, the initial phone calls with (Moncrief). It was like on the 25th, and I think your first phone call was like the 18th with (Moncrief).

RIDDLE: I - it's - it's - it was - it was close. I don't remember exactly 'cause I know...

RIGHTHOUSE: It...

RIDDLE: ... 'cause I know I'd left. I'd - I'd left here went - actually went up to the school in uh, Orange County, and I think I'd been up there for several days prior to him calling, but it was on- it was just a two week school, and it was during the first week that he called. So I mighta been, you know, second or third day, something like that.

RIGHTHOUSE: When you talk to (Holden) you had mentioned - or do you recall mentioning to him that uh, you had the conversation with (Moncrief) about uh, how she mighta been sweet on him and coulda had a crush on him...

RIDDLE: Well, see, I uh...

RIGHTHOUSE: ...and...

RIDDLE: ...I - I...

RIGHTHOUSE: ...you explain - you explain the same story that you just explain to...

RIDDLE: Let me put it this way. I - I've been interviewed several times about this, and what I've said hasn't been any different every time I've sat down. So uh, you mentioned the part about being sweet with - or about him being attract to her, that I do remember se-remember that, and I - I would assume that I probably told (Holden) something along that line, I guess. I - I - I don't know, but I mean, I - I - I don't - I don't remember the whole conversation that he - he and I had. It was basically the same as we did.

RIGHTHOUSE: All right, in your - in your transcripts with (Holden) it mentions the same story you just told me.

RIDDLE: Well, that's...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 38

RIGHTHOUSE: So you - you mentioned that uh, (Moncrief) said like she was interested him kinda thing -- had a crush on him. You talk to him about uh, exactly what you just told me, that maybe he had a crush on him and you said that you had a few CI's that did the same thing.

RIDDLE: Mm-hm.

RIGHTHOUSE: The heavyset ones.

RIDDLE: Yeah.

RIGHTHOUSE: Etcetera.

RIDDLE: That's kind of - yeah, unfortunately, but yeah.

RIGHTHOUSE: About four months later you had the interview with the DA?

RIDDLE: Uh...

RIGHTHOUSE: In June.

RIDDLE: Okay.

RIGHTHOUSE: And during that interview do you recall them asking you questions about if there's anything sexual in nature about the incident?

RIDDLE: Well, I remember them asking if there's any sexual in nature, but at that point, I didn't know of anything sexual in nature. Now are you referring to the fact of somebody saying that they were sweet on somebody is sexual in nature?

RIGHTHOUSE: Well, that's what I'm asking you.

RIDDLE: Well, I - I - I - had they asked me what you just asked me they would've got the same response I gave to you. I don't remember how they worded or what they said, but during the whole conversation all the things that I had back and forth with him, I never knew that there was any sexual type stuff that was going on other than, you know, and I wouldn't necessarily say somebody being sweet on somebody is a sexual type thing.

RIGHTHOUSE: Okay. So in the (Holden) interview you talk about there being some kind of a crush thing, interested thing, whatever, during the DA's interview. That's why I'm asking.

RIDDLE: Right.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

RIGHTHOUSE: 'Cause we need to...

RIDDLE: No, that's fine.

RIGHTHOUSE: ...look at the two different ways it was said, and I just want...

RIDDLE: Okay.

RIGHTHOUSE: ...you to clarify how it came across. They asked something here similar to uh, "Did you ever bring up that it was like something of a sexual nature?" and you said, "No, they said nothing like that."

RIDDLE: Hm.

RIGHTHOUSE: And you said, "I didn't even - didn't even register to even, you know, ask."

RIDDLE: And it didn't.

RIGHTHOUSE: So in the DA's interview when they're asking you, "Is there anything of a sexual nature," what were you...

RIDDLE: Well...

RIGHTHOUSE: ...what were you...

RIDDLE: What was I thinking? Everything is plastered all over the news, and we had (Hayes) all over the news - all this other stuff - well, the sexual stuff, and it never even cross my mind that it'd be something like that. So that's what's in my mind when they ask - ask something like that. Um, if they'd asked, you know, "Did he make any comment about her thinking he was, you know, sweet or something like that," I mean I'd give 'em the same answer I would've given to you.

RIGHTHOUSE: So the way the DA phrased it...

RIDDLE: Well, I - I assume because I mean, I would've told them the same thing I would've told you had - had you asked it, and if you would ask me if there was - was there anything sexual in nature that I picked up the answer is no. I didn't think there was uh, any sex type thing that was going on until it hit the fan.

RIGHTHOUSE: Okay. So the way the DA phrased it you were thinking of like sexual acts, is that correct?

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 40

RIDDLE: I - I'm assuming, yeah. I mean that'd - that'd be the safest way...

RIGHTHOUSE: So you told them no.

RIDDLE: Well, and that would be correct, and I'm just telling you now, I never - never believe that there was anything sexual in nature that was going on. Now I would consider her saying she had sweet on him or something as being sexual in nature at that point - I mean, I never would consider that with any of my sources that I had for years. I mean, we were friends and stuff, but there was never anything sexual in nature about it whether they liked me or not.

PINCKARD: So the DA's ter- uh...

RIGHTHOUSE: So he's using different terminology and you're - you're answering that question with that different terminology in mind.

RIDDLE: Well, if you're asking me if somebody had - if there was sexual in nature, that's what I'm thinking.

PINCKARD: You're - you're thinking of some kind of sex act or sexually explicit...

RIDDLE: Yeah, especially with all the stuff that was going on at the time, and all this hit right when all the (Hayes) stuff was going.

PINCKARD: Right.

RIDDLE: That's what's going on in my mind, and I had no fricking clue this is gonna be driving down that same road.

PINCKARD: You know what the sergeant was trying to figure out is - is uh...

RIDDLE: No, I - yeah.

PINCKARD: ...Is..

RIDDLE: I - I - I - I get - I get it.

PINCKARD: ...is there a discrepancy between...

RIDDLE: I - and I understand.

PINCKARD: ...what you told (Holden) and what you told the DA...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 41

RIDDLE: Right.

PINCKARD: ...were they basically different questions.

RIDDLE: Right. No, and I - I understand. I can see how that may have been taken out of context but I'm telling you right now I had - if you ask me directly that, that's the way in my mind, I thought about it then. That's still the way I think about it now. Had I known then what was going on, I probably would've thought about it a little bit more along the line of sexual in nature rather than that, but I didn't know at the time what was going on with that.

RIGHTHOUSE: Okay. And then with the un-handcuffing, when you talk to (Holden) you told him that you didn't recall any conversation...

RIDDLE: Correct.

RIGHTHOUSE: ...about their being un-handcuffing.

RIDDLE: Correct.

RIGHTHOUSE: When you talk to the DA's interview, you told 'em that you did remember that he un-handcuffed her.

RIDDLE: No.

RIGHTHOUSE: You made several statements like, "On the - on the handcuffing I just vaguely remember him throwing that out there in one of the phone conversations."

RIDDLE: Well, no. Yeah, here - here...

RIGHTHOUSE: And - well, I wanted to finish, so let me...

RIDDLE: Sure - sure, go ahead.

RIGHTHOUSE: And then a couple time you said, "Like I'm talking about the un-handcuffing." You say, "Right - right." And then you say, "And I don't remember the exact (unintelligible) of how that went, and when I talk to uh, (Mike) and uh, (Leslie) they were asking about it, and I said, "Man, I - I don't specifically remember him going into that, and I don't - I don't even remember how we talked about it."

RIDDLE: Right.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 42

RIGHTHOUSE: So you're discussing that.

RIDDLE: Right.

RIGHTHOUSE: But then you tell her - you tell the DA that uh, he did tell you that he un-handcuffed her and you were assuming that like at Colinas she was un-handcuffed or something, or a little bit to stretch her arms and, you know, or something like that."

RIDDLE: Well, and here - here's the deal, is, you know, ob- obviously there was some kinda conversation that I didn't pick up on, or this - I wouldn't be sitting here talking to you right now, and when I told (Holden) I didn't remember anything, I didn't remember anything, and then I - and I'm getting hit up, you know, again by Sex Crimes, getting hit up, obviously there was something that went on as far as conversation, and I don't remember, and the fact that I didn't put any - any uh, I guess credibility to anything. I - I - I never assumed that there was anything wrong with what happened or I - I probably would've registered something in my mind that hey, I need to hit him up and - and deal with this. 'Cause if he had told me that, "Hey, you know I had her on un-handcuffed or these things happened," well, yeah, the red flags would go up. No red flags went up, but obviously I'm assuming that he obviously made some comment to me about that, or we wouldn't be sitting here going over this stuff.

RIGHTHOUSE: Well, and that's...

RIDDLE: And I - and I don't - I - but I don't remember having the conversation with him. So I'm sitting here trying to articulate what may have happened or what might he of said, and why didn't I pick up on it? Why didn't I catch it? Because obviously I didn't, so if he made some comment about being handcuffed or un-handcuffing, and that - that's kinda the direction they were - they were going asking, "Well, how - how would you have - how would you have um, looked at that? I said, "Well, due to the fact that I didn't take any - give it any uh, credibility would've been, you know, did I un- un-handcuff her at (Los Colinas)? She's gonna stretch her arms or something like that." I said, that's probably the direction it - it would have gone in my mind because nothing hit my mind that hey, this - anything was bad or wrong that was done here. Does that make sense?

PINCKARD: It's not a credibility issue. It's what was significant to you at the time in your conversation with (Moncrief) and...

RIDDLE: Right.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.W.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 43

PINCKARD: ...did it register in a way that uh, would indicate, you know, some specific concern. Uh, but what I - I think what uh, Sergeant Righthouse is asking is, you know, what happen between the time that you're talking to (Holden) and...

RIDDLE: Right, and - and - and why when I talk to him.

PINCKARD: ...and talking to the D.A.

RIDDLE: And I - and I - I understand...

RIGHTHOUSE: When you talk to (Holden) - that's what I'm trying to clarify.

RIDDLE: Yes, sir.

RIGHTHOUSE: When you talk to (Holden) and he asks you about...

RIDDLE: I don't remember.

RIGHTHOUSE: ...un-handcuffing...

RIDDLE: Right.

RIGHTHOUSE: ...which was maybe five, six days after you talk to (Moncrief).

RIDDLE: Right.

RIGHTHOUSE: You told (Holden) that you didn't know anything about un-handcuffing.

RIDDLE: I - and I didn't.

RIGHTHOUSE: When you talk to the DA...

RIDDLE: Right.

RIGHTHOUSE: ...you tell then you did know there was un-handcuffing. You made statements like this one here. I wanna read it to you.

RIDDLE: Okay.

RIGHTHOUSE: It's fair.

RIDDLE: Okay.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 44

RIGHTHOUSE: It says uh, "I would like - you know what? I vaguely remember him saying something about un-handcuffing, but I didn't remember the - the details to it. I don't remember how that came about."

RIDDLE: It - it's...

RIGHTHOUSE: But you're telling the DA that you do remember him saying something about un-handcuffing. You don't remember the details, but you remember him...

RIDDLE: Right.

RIGHTHOUSE: ...saying something about it, but you told (Holden)...

RIDDLE: Right.

RIGHTHOUSE: ...you didn't remember anything.

RIDDLE: Right - right.

RIGHTHOUSE: So what's the...

RIDDLE: I understand.

RIGHTHOUSE: ...why did you tell (Holden) that?

RIDDLE: And - and - and here's the deal th- throughout this whole time I - I'm - I'm beating myself up, number one, because I didn't pick up what was going on, and it killed me, and it really tore me up what the - (Don), 'cause I like the guy, and (unintelligible) I mean, I was fricking sick to my stomach that this whole thing happen and everything went down the way it did. Um, and - and I'm beating myself up trying to - what did I miss? How - how - how did I not get the clues? How do I not pick this stuff up? Having that conversation with (Holden), I - I - I didn't remember having any kinda conversation with him about handcuffs. As I get hit up by um, (Leslie) in Sex Crimes, she kinda ask the same kinda stuff and she says, "Well, you know, is it possible during the conversation you had with him that it was, you know, more like uh, he just, you know, took her handcuffs off at (Colinas)." I said - I said, if - if there was a con- if we had that conversation I'm sure that's the direction it would've been because it didn't register that there was any issue or anything - any problem with it, or I would have keyed in on it more than obviously I didn't. So having the conversation with the DA's Office I'm going - I'm still thinking the same things that I - conversation I had with (Leslie) and had with him. Obviously there was probably something that was said that I'm not remembering or I wouldn't be sitting here today going over this, and I don't

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 45

know how to articulate it any better, but I don't remember having a specific conversation about it. If he did, it was to the extent that I didn't click in that it was an issue to have. So when there was examples that were thrown out by (Leslie), "Well, is it possible it was something like this?" Well, yeah, sure it's possible because I - him un-cuffing her at (Los Colinas) letting her stretch her arms, I don't see it as a big deal. I've done that all kinds of times to 10-16's, you know, my arms hurt. Okay, "I'll let you stretch your arms a little bit then we're gonna get these in, and then they'll get off, you know, for a little while." I said, "Yeah, that's - that's possible because it didn't register -- didn't click in my mind as being anything that he did wrong. Had it been something he had done - I recognize he'd done wrong, well, yeah, I think I woulda remembered it a little bit better just like a lotta the other stuff."

PINKARD: So when the sergeant asked you, you know, what is the difference between uh, or what has occurred between your conversation with (Holden) and your conversation with the DA, the - the answer is, the passage of time as well as being questioned and re-questioned and questioned again 'causing you to go back and re-think about what...

RIDDLE: How - how - exactly.

PINKARD: ...conversation you had.

RIDDLE: Exactly.

PINKARD: Okay. I don't know if that answers your question.

RIGHTHOUSE: It - it might. So basically when you talk to (Holden)...

RIDDLE: Mm-hm.

RIGHTHOUSE: You're saying you didn't remember.

RIDDLE: Right.

RIGHTHOUSE: When you talk to the DA four months later you did remember.

RIDDLE: Well, let me tell you. Uh, even...

RIGHTHOUSE: You had a big - you had a big recollection of...

RIDDLE: My - my recollection was, if I did have a conversation with him about that, it wasn't to the extent that it was anything significant and - and that's the whole thing and - and - because I don't - I don't want to say that. I mean, I don't know, you - you may have

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 46

the whole thing recorded. I have no idea, and even if it is, I still don't remember doing that, and I'm not saying it didn't happen because I just - I don't remember. I don't remember every...

RIGHTHOUSE: Remember ever doing which one?

RIDDLE: Back up.

RIGHTHOUSE: Alright I just want to be clear. You don't remember...

RIDDLE: Sure.

RIGHTHOUSE: ...doing which one? Telling (Holden) you don't remember or...

RIDDLE: Oh, no - no, I...

RIGHTHOUSE: ...telling the DA you do remember?

RIDDLE: No, I remember telling (Holden) that I - I didn't remember having the conversation because I didn't remember having a conversation about that. Um, had I did, I'd a told him. I - I - I've got nothing to hide. I'm - I'm not trying to - I'm not trying to, you know, save him. I'm not trying to, you know, do anything other than trying to do the right thing, which obviously has been backfiring like crazy um, and then having a conversation with the D - with uh - uh, with (John) uh, you know, like uh, and I don't know how to articulate any better than I've already said. I - I don't know that there was any significant to it, and obviously I must've had some conversation or this wouldn't have kept coming up. I just - I don't remember having the conversation, if it was, and it was significant I - I would have remembered it a little bit, you know? So I - I'm beating myself. Well, how - how did he bring it up? What was it that could've been said? And I'm trying to pick bits - bits and pieces of what everybody keeps asking me 'cause I mean, I've - I've been sitting in your seat doing a lotta - lotta fricking cases and I to- I totally understand. That's what pisses me off probably the most that I didn't realize it was probably uh, you know, a call that was coming in that was being recorded with him, and the detective and all this stuff. It clicked and it registered. I just don't wanna think that my guys are doing anything wrong, so it wasn't something that automatically pops into my head all the time, so...

RIGHTHOUSE: But the - but the difference in the two statements...

RIDDLE: No, I - I understand that.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.W. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 47

RIGHTHOUSE: ... un-handcuff statements is it just that you didn't remember? 'Cause you told (Holden) - basically in a nutshell, you told (Holden) no, there wasn't - you don't recall anything about un-handcuffing.

RIDDLE: I - I - and I don't.

RIGHTHOUSE: You told the DA you do.

RIDDLE: And my - my intent when I'm talking to the DA - because I had talked to (Leslie), talk to them, if - if we did have a conversation and I, like I said, I don't remember having a conversation with him about it, and I don't know how to keep saying that over and over again. If we - if we did it wasn't significant enough to the point that I thought anything of it - if, I mean, and - and had people gave me examples, "Was it because you thought he was doing this?" I said, "Well, that's possible 'cause that does seem like a big deal."

RIGHTHOUSE: Okay. Uh, had - had (Moncrief) told you - or if (Moncrief) did tell you...

RIDDLE: Mm-hm.

RIGHTHOUSE: ... 'cause in the DA's you say that you vaguely remember him talking about un-handcuffing the lady. Did you question (Moncrief) about the un-handcuffing...

RIDDLE: Obviously not 'cause I don't remember even talking about it.

RIGHTHOUSE: And why would you not question (Moncrief) if - if he's freaked out and acting crazy about just the telephone call and he happens to throw out, "Oh, and I un-handcuffed her at some point," why would you not question him about that?

RIDDLE: But I don't remember him even saying that, so I can't tell you how I would've reacted to it because I don't remember it. So as we're going through all this stuff, being interviewed over and over again about this stuff, I'm trying to go through and beat myself up trying to go what - what is it I missed? What did I not catch? Did he say anything and if he did, I don't remember the content of what it was, um...

RIGHTHOUSE: So if he did say anything about it would it be fair to say that you didn't delve into questions about the un-handcuffing?

RIDDLE: Well, obviously or - or I woulda remembered it. Yeah. I - I apologize. I'm trying - I'm trying to be...

RIGHTHOUSE: That's all right. We just want to make sure...

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 48

RIDDLE: ...straightforward as I am.

RIGHTHOUSE: ...we're as clear as we possibly can be on...

RIDDLE: No, I - I understand.

RIGHTHOUSE: ...your statements.

RIDDLE: Like I said, I've got - I've got nothing to hide. I want - I wanna be straightforward about this stuff, and...

RIGHTHOUSE: After talking with the DA and telling them that you vaguely remember the un-handcuffing, did you contact Sex Crimes or (Holden) to tell them that you had...

RIDDLE: No.

RIGHTHOUSE: ...called something...

RIDDLE: No, because I - I - my conversation with - with the DA's Office, I didn't think was any different than what I had talked with (Holden) about.

RIGHTHOUSE: So you didn't remember telling (Holden)...

RIDDLE: Oh, no. I remember telling him I didn't - didn't remember anything. I'm tell- I'm tell- what I'm trying to tell you with this stuff is, I - I still - god, I don't know how to keep saying the same thing over and over again.

RIGHTHOUSE: I'm not trying to frustrate you.

RIDDLE: No, I - I understand that, but it's frustrating because I - I - I wanna be straightforward and give you everything, and I feel like I am, but I know it keeps getting hit up with the same question 'cause of the inconsistency with there with the other one. So I - I - I don't know what to tell you. I still at this day sitting here don't remember him specifically saying anything about handcuffed, un-handcuffed or anything about that, and had - and that - and - and it was the phrase of the questions I kept getting asked all the time, I assume that well, obviously he musta said something and I missed it. What was the content of that conversation? I don't fricking remember, 'cause if I had remember, I probably would've hit him up and ask- asked him something. Now when they're asking me what was, you know, do you - do you remember him saying anything? Just like I'm telling you may- maybe he did. I don't know. I - I don't remember him saying anything or I would have addressed it differently I would imagine. I mean, I - I...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.W. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 49

RIGHTHOUSE: So at the time had you delved into the un-handcuffing you would've remembered doing that. So you obviously didn't have a big conversation with (Moncrief) about un-handcuffing this 10-16?

RIDDLE: Obviously or I woulda remembered, and I - I don't know. I think I've said that over and over again. I don't know how to...

RIGHTHOUSE: I - no, that - that's fair.

RIDDLE: ...articulate it any different to you.

RIGHTHOUSE: I'm just trying to make sure I'm hearing what you're telling me.

RIDDLE: Right.

RIGHTHOUSE: And then when you talk to the DA you said you vaguely remembered un-handcuffing, but you didn't remember details. So then the question would be...

RIDDLE: Yeah, and - and - and you know what, and at that time...

RIGHTHOUSE: ...between the two interviews...

RIDDLE: Right.

RIGHTHOUSE: ...so when you talk to (Holden) you didn't recall and that's fine.

RIDDLE: Right.

RIGHTHOUSE: When you talk to the DA four months had transpired. You had thought your thoughts. You could've remembered it. So, when you talk...

RIDDLE: Well, no. I - I wouldn't remember anything any different. The problem is between this whole time I'm getting hit up about this whole handcuffing thing, and I'm assuming obviously there was a conversation that went on.

PINCKARD: I think we're getting wrapped around the axel on - on uh...

RIDDLE: Yes.

PINCKARD: ...semantics uh...

RIGHTHOUSE: I'm just asking if you vaguely recalled later that's okay. It's...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 50

PINCKARD: It's not an issue of recollection. It's an issue of deducing - now the first time you're asked a question on something that you didn't think was significant you just pass it off. I - I don't recall having that conversation. The next time you're asked the same questions in the same general area, okay, now it's a little bit more significant. The next time after that you're being asked the same general question...

RIDDLE: That's even more significant.

PINCKARD: ...it's even more significant and then what your mind is telling you based on the questions is obviously there must've been a conversation regarding handcuffing, but I can't tell you what that conversation was other than it was a vague conversation. So it's not...

RIDDLE: Correct.

PINCKARD: ...so it's not so much an issue - and we keep using the word, well, you know, you - you recall uh, four months later when you're talking to the DA, but you couldn't recall four days later when you're talking to uh, (Holden). It's not an issue of recalling four months later. It's an issue of now this point has been emphasized and re-emphasized and emphasized yet again to the point where clearly there must've been a conversation.

RIDDLE: Exactly. Thank you.

PINCKARD: Or they wouldn't keep asking me this question, but the first time I was asked by (Holden) it didn't seem significant and - and it wasn't something that registered in my head, so no, I told 'em, yeah, I - I don't - I don't recall that, but then by the time we get to the DA several interviews later it's very clear that that is a point of contention as he keeps saying otherwise I wouldn't be sitting here or talking about this. It's not that he recalls the conversation with (Moncrief) four months later. It's that he now knows that that's a significant issue and from the framing of the question it clearly occurred. So then it's, okay, well, let me try to speculate on what may of occurred. Uh, well, it was probably some general conversation about handcuffing.

RIGHTHOUSE: Okay, so let me - let me try to clarify this 'cause I'm trying to just...

PINCKARD: And I don't wanna put words in his mouth.

RIDDLE: No - no - no - no - no.

PINCKARD: That's what I'm hearing.

RIGHTHOUSE: And that - that's kinda what I'm hearing but and...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 51

RIDDLE: Well, and that's what I'm trying to say.

RIGHTHOUSE: Okay.

RIDDLE: Obviously it's not coming out right like all this other...

RIGHTHOUSE: That's all right.

RIDDLE: ...stuff is going on, but...

RIGHTHOUSE: But with the DA...

RIDDLE: Yeah.

RIGHTHOUSE: ...there's two different places where you say, "I vaguely remember. I vaguely remember him saying something about un-handcuffing her at some point."

RIDDLE: I - I - and I don't...

RIGHTHOUSE: So when you - when you say to the DA, "I vaguely remember her uh-hand- him saying he un-handcuffed her at some point." Did you truly have a vague memory of him telling you, "I un-handcuffed her at some point?"

RIDDLE: No. Because I - like I said, I'm - I'm going through this over and over again, and obviously like you said, there was some - something that was done that I missed, and so I'm trying at this point - trying to figure out how was it brought up. How was it said, because I - I - I just - I don't know how to answer those anymore - any other direction.

PINCKARD: Well, I think you - you've - you've answered it. I mean, and - and - and I - I guess - I mean, if I'm sitting where Sergeant Righthouse is sitting I'd be asking, "Well, you know, were you trying to be helpful, you know, when you're talking to the DA?"

RIDDLE: Yeah, and that'd be a fair way to say it. If - if - if the conversation did take place it wasn't significant and I - I wouldn't have - I didn't put anything to it, which is kinda what...

RIGHTHOUSE: And that - that - and that...

RIDDLE: ...what they were asking.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 52

RIGHTHOUSE: ...and that I understand like what Pinckard was saying. I - I agree when you were first asked.

RIDDLE: Right.

RIGHTHOUSE: So my - my question's kinda - I can't get there. My question's basically when you talk to (Holden) I understand maybe it didn't trip in your mind at the time. You weren't thinking about it, so you said, "No, I don't remember anything."

RIDDLE: Right.

RIGHTHOUSE: Whatever. Four months later you have a lotta time to think.

RIDDLE: Yeah - yeah.

RIGHTHOUSE: So if you do have a vague recollection that yeah, he did say something about un-handcuffing, but I glossed over it. It didn't matter to me at the time, so I don't remember what he said. My question is, once you had that vague recollection, did you talk to (Holden) to say, "Hey, when you - I first talk to you I said I didn't know anything about handcuffing, but you know what? I just got interviewed by the DA and I kinda do have a vague recollection that he said, "Yeah, you know what? He did say something about un-handcuffing her, but I didn't talk to him about it."

RIDDLE: Right.

RIGHTHOUSE: Did you update him...

RIDDLE: No.

RIGHTHOUSE: ...to say...

RIDDLE: No, I didn't.

RIGHTHOUSE: "Hey, I do have a vague memory of this."

RIDDLE: No, I didn't because...

RIGHTHOUSE: but...

RIDDLE: ...when I got done with that conversation with them, I didn't think it was anything different than what I'd had with him. The - the statements I still said to them was still the same thought - my thought I had - I had with (Holden). Had I thought down the

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 53

road somewhere that, you know what? Oh, I do remember the fact that this ABC, or D happened, I would've given a call and told him that. I - I wouldn't of handed all this stuff - information that I had over to everybody if I was trying to hide anything from somebody.

RIGHTHOUSE: Well, I'm not saying you're trying to hide it.

RIDDLE: No, I'm - yeah...

RIGHTHOUSE: I'm asking if you corrected it.

RIDDLE: No - no, because I - I didn't feel that I - there was anything different in the conversation I had with him that I had with them.

RIGHTHOUSE: You didn't recall any differences. And - and the one thing I do wanna make clear though 'cause...

RIDDLE: Sure.

RIGHTHOUSE: ...the way you answered I wasn't really sure.

RIDDLE: Sure.

RIGHTHOUSE: To the DA at least two times maybe more if I read this, you tell the DA that you do have a vague recollection of the un-handcuffing. Did you truly have a vague recollection...

RIDDLE: Well, it's - it's va-

RIGHTHOUSE: ...or is that...

RIDDLE: Well, here's the deal. Just like you say...

RIGHTHOUSE: ...a misstatement?

RIDDLE: ...it's - it's - it's - it's probably more of a misstatement, 'cause it's - it's vague because obviously it happened or I wouldn't be getting hit up again over and over again about this whole thing, but the fact that it - it's - it's so vague, I don't even remember the content of anything that would've come out of it in the first place. So when they're trying to - and I'm trying to beat myself into how did that come out -- how did it happen, I - I - I still can't tell you because I don't remember.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: MJ. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 54

RIGHTHOUSE: All right, I'm good with that. I don't wanna - I don't wanna beat you up over it.

RIDDLE: Well, and I - I don't - like I said, I don't care. I mean, we can sit here and talk all night and get the same...

RIGHTHOUSE: No, I...

RIDDLE: ...information's coming out.

RIGHTHOUSE: ...I'm just trying to make it clear. I don't wanna make it more confusing. Uh, you received a text message from (Moncrief) in April that you provided in the DA's interview.

RIDDLE: Correct.

RIGHTHOUSE: Did you provide that text message to (Holden) or Sex Crimes knowing that there was a Sex Crimes investigation taking place?

RIDDLE: I was told that the whole thing was washed out and everything was - wasn't going anywhere, so I never forwarded the stuff up he had already quit.

RIGHTHOUSE: Who told - who told you that?

RIDDLE: I heard it from the lieutenant. I heard it from the captain. I heard from other people that things weren't going anywhere.

RIGHTHOUSE: You - you...

RIDDLE: It was - it was done, need to quit.

RIGHTHOUSE: ...you didn't contact Sex Crimes with that information that you had...

RIDDLE: That he had sent me another text?

RIGHTHOUSE: In which he basically admitted to some of the - well, not basically, but he did admit to...

RIDDLE: Right.

RIGHTHOUSE: ...un-handcuffing and etcetera, etcetera, that obviously went along with that case.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: MJ. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 55

RIDDLE: No, I was told that - that everything was - was washed out. He - he had quit. That uh, the DA's Office, nobody was going forward on anything. So, I mean if - and again, if I was trying to hide that I wouldn't give it to - to the DA's Office when they interviewed and ask me about it.

RIGHTHOUSE: Well, I'm not saying you tried to hide it. I'm asking...

RIDDLE: Well, no. I - I...

RIGHTHOUSE: ...when you got the text did you contact (Holden) to say, "Hey, you interviewed me about a Sex Crimes incident. I have evidence to that Sex Crimes incident," to turn it over to (Holden)?

RIDDLE: No, but like I said, I told you, I was told that everything was washed out, nothing was - was going that they had declined to go forward.

RIGHTHOUSE: Because you thought...

RIDDLE: The criminal case was done. It was over, and he had quit, and he was gone.

RIGHTHOUSE: And that was...

RIDDLE: And then obviously it's not when the DA hits me back up and starts asking me stuff about it.

RIGHTHOUSE: And that - that was in April.

RIDDLE: Yeah.

RIGHTHOUSE: You were interviewed by DA in June.

RIDDLE: Yeah. Well, like I said, when I ended up - ended up handing the stuff over to them is when I realized it was still going forward. I didn't know it was going forward until the DA called, said they need to talk with me, so, and that was one of the first things I brought up. I said, "Look, I got - there were some text messages that came through that you might be interested in," so.

RIGHTHOUSE: And after your DA's interview did you contact (Holden) and give him this info?

RIDDLE: Why would I?

PINCKARD: Well there isn't really a reason he gave it to the DA.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 56

RIDDLE: Why - why would I call him and give it to him when the DA's got it?

PINCKARD: Yeah that...

RIGHTHOUSE: Well, 'cause he's doing the Sex Crime investigation. I'm just asking if you did.

RIDDLE: To me it seem kinda irrelevant to call him when the DA already had it.

PINCKARD: When you look at the hierarchy of - of authority the DA is higher than the Sex Crimes investigator.

RIDDLE: And I - I still have all those e-mails and stuff. So I mean if - if you don't have 'em and they're not on there you guys are more than welcome to 'em. It's not - not a big concern of mine.

RIGHTHOUSE: So when (Moncrief) called you had these discussions with you...

RIDDLE: Mm-hm.

RIGHTHOUSE: This is kind of a long general question but I just...

PINCKARD: Talking about the first discussions where he's...

RIGHTHOUSE: Yeah.

PINCKARD: ...all spun up?

RIGHTHOUSE: Where he - where he's spun up.

RIDDLE: Mm-hm.

RIGHTHOUSE: He's calling you. He talk to you three times, maybe four times, sent you text messages.

RIDDLE: Mm-hm.

RIGHTHOUSE: You did have discussions with him obviously.

RIDDLE: Yeah, they were pretty short, but yeah.

RIGHTHOUSE: He seem - he seem spun up. You use words like freaked out and etcetera, etcetera.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 57

RIDDLE: Mm-hm.

RIGHTHOUSE: You actually made mention later that you were concerned to the point that you thought (Moncrief) might kill himself.

RIDDLE: Oh, absolutely.

RIGHTHOUSE: When did you formulate that thought?

RIDDLE: When he was - the last time I talked to him when he was getting ready to get off the freeway, I could - I could - I could, you know, hear in his voice all the - the panic. I have- I still have no idea what the allegations were, but obviously I knew there was something more to it um, and uh, when I started getting these messages from his wife um, that, you know, they won't believe what he's accusing me of, and that's what they're saying and knowing how spun up he gets about things that was definitely a concern.

RIGHTHOUSE: To being that spun up did it occur to you to ask him additional questions about why he would be so concerned over a petty phone call?

RIDDLE: At the point where he was going down to talk to (Holden), I'll be honest with you I didn't wanna get involved with it anymore.

RIGHTHOUSE: Alright. And just in general being that spun up...

RIDDLE: Ah,.

RIGHTHOUSE: ...this is just...

RIDDLE: Right.

RIGHTHOUSE: I'm trying to get in your head.

RIDDLE: Right.

RIGHTHOUSE: I know you're saying you wish you would ask more questions. So I guess I'm asking you why didn't you if he was so spun up over just a phone call...

RIDDLE: Right.

RIGHTHOUSE: ...that you're concerned about him and he's freaking out, etcetera, etcetera...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: MW. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 58

RIDDLE: Right.

RIGHTHOUSE: ...did it occur to you that - to ask more questions, to delve into it when he's saying...

RIDDLE: Well, fair question...

RIGHTHOUSE: ...he had just got a phone call and in your mind you're thinking well, I give out my number and I get a phone call.

RIDDLE: Right.

RIGHTHOUSE: So what's the deal man?

RIDDLE: Right. To ask him more questions at that point in time, no, because that was normal. That was - that was his normal behavior. Um, had - had I not worked around the guy and he'd just come to my squad and I didn't know him, I - I probably would've been a little more concerned, but having dealt with him for about a year it was completely normal - not - not even - nobody else in my squad that's normal for. Him that was normal.

RIGHTHOUSE: So he's just kind of a...

RIDDLE: He - he - he's wound tight. I don't know how to say it any better.

RIGHTHOUSE: Worked up and...

RIDDLE: I mean, he was - he was a good officer for me. I mean, he worked his butt off, and he was doing some amazing stuff, and I'm writing him accommodations for his amazing work that he's doing, but he was always worried about something - always worried about something, and I didn't give a whole lot of credibility when he was worried about things at work either, you know, and I - I - I didn't - I didn't throw fuel on his fire so to speak. I just kinda, "Dude, chill out, relax." You know this is not that big a deal. You know let's talk about it tomorrow and that's kinda the way I took it when he first called about that other stuff and I didn't - I was almost to the point, I was, "Hey, you know, that - that's good. You know you got - somebody's calling you back throwing you some information - throwing you a bone. That's good. We'll get her hooked up with the right people and, you know, I'll (unintelligible) for, you know - you know, talking to a person and getting, you know, be willing to call back and help us out," and I mean, that's the way I got 'em all before, you know, through officers that were willing to, you know, have 'em call back. Um, you know, obviously the point where he got to the - where it kinda - the light bulb started going on realizing there was

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 59

a lot more to it after he called the Chief, hell no, I didn't wanna talk to him about anything.

PINCKARD: I can tell you though, if you - if you call him tomorrow say, "This is Bret Righthouse down in Internal Affairs, I'd really, really like to talk to you. I really need to talk to you," you'd probably get some sense of where his head was at, but if it wasn't unethical and I'd get disbarred for it, what I would do is after you make that call, I would invite you into my office and I'd put you on loud - put him on loud speaker because the next call he's gonna make is to me, and you would then get a sense for what he's talking about.

RIGHTHOUSE: How wound up he is?

PINCKARD: I mean it's...

RIDDLE: And I don't know how to explain it.

PINCKARD: Uh, yeah, and it's a short journey, too. I mean, he might be able to maintain talking to you...

RIDDLE: Ah...

PINCKARD: ...but not when he would be making that call to me.

RIDDLE: And I find it kinda interesting you asked about his - my concern for his condition because yes, it was. I mean, I - I was definitely concerned when I felt the direction things were going even not knowing what was going on - get in conversations with, you know, with his wife and the texts from his wife, I was very much concerned about how hyper he was that he might try and do something, and from the information I got down the road - 'cause I mean, I call - I call the captain. I think that was - I think it was (Anastasia) said, "Look, I'm worried about - about him," the direct- the uh, the feeling I get where this is going, I said, I'll be honest with you, I'm concerned he might commit suicide. I said, "I just wanna make sure that my information is being passed on to whoever it is that can mention that resources are provided for him to help deal with those thoughts and those kinda things." She goes, "It's a valid concern. We already recognize that," and uh, chaplain and focus or whatever it is, that - that - I can't remember how she said it, but she threw out the, you know, the right words - have been provided and he is, you know, working through things with them. I said, "Okay, good." 'Cause that - to be honest with you, if I hadn't said anything and he ended up hurting himself, god, I'd live with that for the rest of my life.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 60

PINCKARD: Well, I know - I know I had conversations with uh, I wanna say it was (Anastasia). It may have been uh, I know I had conversations with her and - and (Terrance), and uh, I - I've never talked to Steve until basically he - you contacted him for this interview because at that time I - I - I wanna say that (Charlotte) was - was his sergeant or...

RIDDLE: Right.

PINCKARD: ...Acting Lieutenant or whatever it was, and then (Anastasia) was the captain, and I remember one or both of them telling me that, "Listen, you need to check in with him and you need to make sure that he is not uh, gonna do something stupid." So that - I mean, that - that concern, you know, I don't know if they got that from Steve or they got that from their own observations of his - his conduct. But I know that the command specifically called me to specifically tell me that they were concerned that he was a suicide risk.

RIGHTHOUSE: That's how wound up he was?

PINCKARD: That's how wound up he was.

RIDDLE: Well, and - and then - and then I'm - I'm talking to - to (Leslie) um, about this. She says, "Yeah, it got to the point that where he was on the ground crying." I'm like, "Oh, fucking great." You know? So I'm just, you know, and - and at that point I st- I still didn't know - other than I knew Sex Crimes was dealing - I didn't know if it was a minor thing, fricking major thing. It was another (Arevalos) or if it was just, you know, or I had no idea what it was, but then when I heard that he was to the point that he was just - had lost it, and I'm like, oh, I mean, I - I don't know fricking felt horrible.

RIGHTHOUSE: Let me ask you - I think that I just have one last question.

RIDDLE: Sure.

RIGHTHOUSE: Uh, you talk about (Moncrief) and getting commendations etcetera, etcetera...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...but he's under a lot of stress, so I understand also. So during his interview with Sex Crimes...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...he admits to policy violations.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 61

RIDDLE: Okay.

RIGHTHOUSE: And what he says when he mention these is, he makes statements a couple of times that he says, "I told Sergeant Riddle that I did, and I did.

RIDDLE: Did what?

RIGHTHOUSE: I un-handcuffed her when we went from Headquarters to (Los Colinas), I did un-handcuff her. She was in the back un-handcuffed. I told him that, and I knew it was a violation," and he makes several statements like that.

RIDDLE: Okay, I...

RIGHTHOUSE: Could he have told you that he un-handcuffed her on the way to (Colinas)?

RIDDLE: I - I don't - I don't remember having the conversation with him. I'm not gonna lie and say that maybe he did and I didn't catch it. I - I - I don't remember him saying anything.

RIGHTHOUSE: You don't recall?

RIDDLE: No. No, I don't.

PINCKARD: Bret, can you tell from the context of - of his statement - because I - I don't know the answer to this. When he went down to Sex Crimes, I wasn't with him, so he - he actually went - went down on his own, but can you tell from that whether he is referring to, I told Sergeant Riddle back at the - on the date of arrest, or whether he was referring to, I told Sergeant Riddle when I just recently talk to him?

RIGHTHOUSE: He was talking about talking to Sergeant Riddle on the phone, and he was basically saying that he confessed. "I told Sergeant Riddle that I un-handcuffed her. I told Sergeant Riddle that I gave her my phone number. I know they're both policy violations," and he even says like, "I swear to God. I could take a lie detector test. I told," like he's trying to say that he's admitting his fault.

PINCKARD: Who wa- who was his sergeant at the time of the arrest? Do we know?

RIGHTHOUSE: Um...

PINCKARD: Do you know if it was...

RIGHTHOUSE: ...I - I think it...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 62

RIDDLE: No, wh- when - actually, when this all started he called me, he wasn't working for me.

RIGHTHOUSE: No, the - the arrest though, when he made the arrest.

PINCKARD: No, I'm talking about...

RIDDLE: On, you mean - oh, that was before he came to me.

RIGHTHOUSE: Yeah, that was...

PINCKARD: Okay.

RIDDLE: Yeah.

RIGHTHOUSE: ...(Char)...

RIDDLE: No - no - no - no.

RIGHTHOUSE: I can't remember.

RIDDLE: He was uh...

((Crosstalk))

RIDDLE: ...he was another shift. Yeah, 'cause I think I picked him up in...

PINCKARD: Okay. I just wanna make sure that - that...

RIDDLE: Yeah, yeah.

PINCKARD: ...that whatever it is that (Don) was referring to wasn't referring back to the date of arrest.

RIGHTHOUSE: Yeah, he was actually referring to...

RIDDLE: Me?

RIGHTHOUSE: ...calling Sergeant Riddle and basically...

PINCKARD: Okay.

RIGHTHOUSE: ...trying to confess his - why he was freaked out.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.W. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 63

RIDDLE: Okay.

RIGHTHOUSE: He knew - he knew when this girl called is basically what he was explaining that, "I gave her my phone number and I think that's a policy violation, and I un-handcuffed her in the back of the car, and that's a violation, and I'm admitting to that, and you can even ask Sergeant Riddle that I'm admitting to that..."

RIDDLE: Well...

RIGHTHOUSE: ...he told Sergeant Riddle.

RIDDLE: ...I tell you what, had it been that clear I, "Okay, dude, you need to meet me downtown or - or in the office," or whatever it is, and deal with it. Nothing was ever that clear about anything, and like I said, I - I still don't remember him men- mentioning anything about handcuffing, but I don't remember him ever saying anything about copping out to do anything wrong, other than the fact that I think I gave somebody my number. I think it's in violation of policy. I said, "I'm not aware of it," of which one it is or is.

RIGHTHOUSE: When - when he talked to you, (Moncrief).

RIDDLE: Mm-hm.

RIGHTHOUSE: On the phone...

RIDDLE: Mm-hm.

RIGHTHOUSE: You're - you're describing him as freaked out, wound up, spazed out, whatever.

RIDDLE: Right.

RIGHTHOUSE: How was he speaking? Was it clear and slow like we're talking right now?

RIDDLE: No.

RIGHTHOUSE: Or was he wound up and rambling and could he have said things that you're not aware that he said?

RIDDLE: Most of my conversations with him he was kinda wound up and rambling most of the time. In fact, that boy could not send a text that was less than a sentence. I mean, all of his texts are like - I'd say - in fact, I used to, "Dude, just call me if you're gonna

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 64

send a text this long 'cause I don't wanna read it." Um, you know, so he never could say anything short. It was always drawn out.

RIGHTHOUSE: All right, but you don't remember any specific conversation of him mentioning...

RIDDLE: With him confessing his soul?

RIGHTHOUSE: ...anything like that?

RIDDLE: No.

RIGHTHOUSE: I don't think I have anything else. Do you?

RIDDLE: No.

PINCKARD: No, I don't have anything.

RIGHTHOUSE: Anything else you'd like to add?

RIDDLE: No, I think I've gone over it a buncha times. Hopefully this is the last time I have to go over it because just...

RIGHTHOUSE: It's about 2320, and that concludes the interview.

On December 10, 2014, at 2230 hours, I interviewed Sergeant Steven RIDDLE, ID 4311, in the Northeastern Division conference room. Internal Affairs Sergeant Dan SAYASANE, ID 5680, was present. Attorney Rick PINCKARD was present as Sergeant RIDDLE'S employee representative. I read the Administrative Admonishment.

The following is a transcription of Sergeant RIDDLE'S interview. (For exact and complete details of the interview, refer to the audio recording.)

RIGHTHOUSE: This is Bret A. Righthouse, ID 4173. It's December 9 – or no, 10, 2014; 2230 hours. I'm in the, uh, Northeastern Division Conference Room with Sergeant Steve Riddle, ID 4311. And can you state your name, please?

RIDDLE: Steve Riddle.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 65

RIGHTHOUSE: And you have your employee representative, uh, Rick Pinckard. Could you state your name, please?

PINCKARD: Rick Pinckard.

RIGHTHOUSE: Also with me is Internal Affairs Sergeant Dan Sayasane.

SAYASANE: Dan Sayasane 5680.

RIGHTHOUSE: At this time I'm gonna question you about procedures and conduct. My questions during this interview concern administrative matters relating to the official business of the police department. I'm not questioning you for the purpose of a criminal prosecution. In a criminal investigation, you have the right to remain silent and not incriminate yourself. However, since this is an administrative and not a criminal investigation, a failure to answer my questions could be insubordination and leads to, um, discipline up to and including termination. Any statement you make cannot be used against you in any criminal proceeding. Under penal code 832.7, the Grand Jury, Attorney General's Officer, or District Attorney's Office may have the right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used again you by any agency in any criminal proceeding. You are required to answer my questions fully and truthfully. This requirement is set forth in sections 9.4 and 9.29 of the San Diego Police Department Policy Manual; 9.4, Obedience to Lawful Orders Policy: Members shall promptly obey any lawful orders of superiors. This includes orders related from a superior by someone of the same or lesser rank. 9.29: Truthfulness Policy: Members shall be truthful in all matters relating to their duties. Upon the order of a superior or any officers appointed by the Chief of Police to conduct internal investigations and in accordance with constitutional and contractual guarantees including the right to representation, members shall truthfully answer all questions specifically directly and narrowly related to the scope of employment and operations of the department. Refusal to answer my questions, and in itself a violation of department policy, will subject you to disciplinary penalties. Do you understand what I've just explained to you?

RIDDLE: Yes, sir.

RIGHTHOUSE: Is there anything that prevents or may prevent you from answering my questions fully and truthfully?

RIDDLE: No.

RIGHTHOUSE: Do you have any questions concerning what I've just explained to you?

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M. N.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 66

RIDDLE: No.

RIGHTHOUSE: I now order you to answer the following questions. I'm also ordering you not to disclose anything we discuss during this interview or only thing regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination. I'm trying to clarify some statements that you made is the whole reason we have to re-interview you. So I'm gonna try to ask you just a yes or no question. Did you have a discussion with Officer Moncrief about him un-handcuffing his female prisoner?

RIDDLE: Not to my recollection.

SAYASANE: Let me – let me, uh, just for clarification purposes. Are you talking about at any time ever? Are you talking about at the time that he made the arrest. Uh, I mean, what...

RIGHTHOUSE: It would – it would be during the phone call...

SAYASANE: Okay.

RIGHTHOUSE: ...when Moncrief was calling you shortly after he received a phone call from the whatever you wanna call her, the arrestee, possible CI, whatever she was callin' for.

RIDDLE: Mm-hm.

RIGHTHOUSE: So he called you three or four times before he went down to get interviewed by Sergeant (Holt). During those phone conversations, did you have a discussion with Officer Moncrief about him un-handcuffing the female prisoner?

RIDDLE: Not that I can recall.

RIGHTHOUSE: Do you have any recollection of having a discussion with Officer Moncrieff about him un-handcuffing the female prisoner?

RIDDLE: No.

RIGHTHOUSE: None whatsoever?

RIDDLE: I don't know how to answer it any – any different. I don't recall having any conversation with him about handcuffs.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 67

RIGHTHOUSE: Okay. I'm trying to clear up this – the difference between the two interviews. The interview with me pretty; much all these little red tags, and I – I don't know if you've seen it or not. I supplied a copy to Attorney Pinckard. Pretty much all these little red tags are places where you say that you did not have a conversation with Moncrief, and you don't recall having a conversation with Moncrief. And then at one point when we talked about the district attorney's interview...

RIDDLE: Mm-hm.

RIGHTHOUSE: ...you had made a statement about – um, I was talking about the un-handcuffing, and when I asked you, um, you said you had a vague memory of the un- -- of the un-handcuffing.

RIDDLE: I said that to you or to them?

RIGHTHOUSE: When we talked.

RIDDLE: Okay, but I said that...

RIGHTHOUSE: Not in – I'm sorry. You said that to them.

RIDDLE: Okay.

RIGHTHOUSE: And – and you told that to me when we talked. And when I asked you if when you talked to the DA, I said, "So – so when you say to the DA I vaguely remember her un-handcuffing him or her un-handcuffing – saying he unhandcuffed her at some point," I asked, "Did you truly have a vague memory of him telling you 'I unhandcuffed her at some point'?" And your answer was, "No." But you told the DA you had a vague memory of un-handcuffing.


RIDDLE: Okay.

RIGHTHOUSE: So you're tell- -- you – uh, I guess the root of it is, you're tellin' – you told me multiple, multiple times that you did not have a conversation, and if you did, you remembered no conversation.

RIDDLE: That's true.

RIGHTHOUSE: Okay. And when I asked you just now, you told me the same thing.

RIDDLE: True.

Reporting Officer:	Bret A. Righthouse, Sergeant	ID:	4173	Division	Internal Affairs
Approved by:		Date of Report:	January 6, 2015		

RIGHTHOUSE: When you were interviewed by the DA, all these little tags I have on the DA's interview are places where you told the DA that you did talk to Moncrief about him unhandcuffing the female and that he said it was wrong.

RIDDLE: I don't know. No – no – no.

RIGHTHOUSE: So what I'm trying to find out is why they don't match up.

RIDDLE: Well, I don't know what to say. And – and I can't really go into any more detail, uh, than I've already gone, because I've already laid it out; and I read through your transcript, this one here.

RIGHTHOUSE: Right.

RIDDLE: And we've covered this over and over again. I understand what they were saying there, and then I think in this transcript here, we – we talked about it, as well, that I'd been hit up so many times about this, okay, I don't recall – I don't have any recollection of having a conversation with him about handcuffs, okay? The fact that I've been hit up five times...

RIGHTHOUSE: Yeah, but...

RIDDLE: Hold on. The fact that I've been hit up five times, eh, I'm not denying it's – it's possible. I don't – I don't remember havin' any kind of conversation with him about that. So when I'm hit up over and over again, I'm try- -- I'm beatin' myself up tryin' to figure out what the hell – if there was any kind of conversation along like – along that line, I don't remember what it is. So I'm assuming there probably was something, or we wouldn't be sittin' here goin' over and talkin' about this. But it still doesn't change my view of whether I remember or not. I don't remember havin' that conversation with him.

RIGHTHOUSE: Okay. And that's my question, is you don't remember havin' a conversation with Moncrief about the handcuffs?

RIDDLE: I don't remember him mentioning anything about handcuffs.

RIGHTHOUSE: Okay. But when you talked to the DA, you made multiple statements. I'll – I'm gonna – I wanna – I tried to read 'em last time, so I wanna read a couple of 'em. Because when you talked to the DA, I don't want you to get hung up on that word "vague," 'cause a vague memory when, when you – you told me that you – you told the DA you had a vague memory, but you told me when you told the DA you had a vague memory, you really didn't. So that's confusing to me. But you made statements to the DA like

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 69

when you're talking about the handcuff thing, you made statements, you said, "I do remember him saying something about the un-handcuffing. I just don't remember the details as far as what it was. I don't remember how it happened or where it happened." So you're talking about details. And at one point...

RIDDLE: I understand that, but I'm tellin' you right now, you keep readin' those all you want. I don't remember him goin' over anything about handcuffing. I've been hit up several times about this over and over again, so I'm assuming that obviously there was some kind of conversation that I had with him. I don't remember what it was. So I – I can't really go into any more details other than that. I understand what they're saying in there, but...

RIGHTHOUSE: okay, but here you make another statement that just says, "I vaguely remember, and I just don't remember the content about, you know, him un-handcuffing her at some point and..."

RIDDLE: Read that back.

RIGHTHOUSE: "...that he knew..."

RIDDLE: Read that – read that again, Bret.

RIGHTHOUSE: "...he shouldn't have."

RIDDLE: Read that again.

RIGHTHOUSE: "Yes, he mentioned some..."


RIDDLE: Don't – back up and read it again.

RIGHTHOUSE: Okay. You vaguely remember and just don't remember the content about it, him un-handcuffing her at some point, that he knew he shouldn't have. And here you said, "Yes, he mentioned something about it. I just don't remember how – how – how it came out. Um, and what I was talking to (Leslie) and (Mike)..."

RIDDLE: Okay, well, when...

RIGHTHOUSE: And there's a bunch...

RIDDLE: Okay, I – I don't know what to tell you. I'm – I'm – I'm not gonna sit here and go over this over and over again when I've already told you exactly what's goin' on. It's not gonna change anymore. How that came out that we were goin' on talkin' about this

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 70

stuff, I don't have any recollection of talkin' with him about that. Obviously at some point we did, or this wouldn't be happening. We wouldn't be goin' over this again. When (Leslie) hit me up, she gave me all kinds of different scenarios about well, is it possible this happened, is it possible this happened? Yeah, it's possible a lot of stuff happened. But what I remember is what I remember. What I don't remember, I can't tell you anything. Okay? So...

RIGHTHOUSE: But this – this is the point I'm – I'm tryin' to make is that I know people threw stuff out at you, but when – when you talked to (Holden) and me, you said you don't have any recollection of handcuffing.

RIDDLE: I don't remember talkin' to him about handcuffs in any manner. That's what I'm tryin' to tell you.

RIGHTHOUSE: Okay. And that I understand. So not remembering that you talked to Moncrief about handcuffs in any manner is okay. But now I need you to explain to me why when you talked to the DA did you make statements like, "On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations." You're telling the DA you did talk about handcuffs. "I vaguely remember him saying something about – on handcuffing, and but I didn't remember the extent of how it happened." So over and over again you tell the DA that you do remember having a conversation with Moncrief about (unintelligible).

RIDDLE: Well, I'll tell you what. By – by the time I got to that point and I'd been interviewed so many times, I'm assuming...

RIGHTHOUSE: But you were only interviewed twice.

RIDDLE: No.

RIGHTHOUSE: You were interviewed by (Holden).

RIDDLE: Uh-huh.

RIGHTHOUSE: And you talked to (Leslie).

RIDDLE: I see, and this is three. This is three.

RIGHTHOUSE: Right.

RIDDLE: Being here with you is four. This is five.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

RIGHTHOUSE: But if you – if you didn't remember handcuffing when you talked to (Holden) and you didn't remember when you talked to (Leslie)...

RIDDLE: Where's your report from (Leslie)?

RIGHTHOUSE: ...and you – and you did remember...

RIDDLE: Where's your report from (Leslie)?

PINCKARD: Who's – who's (Leslie)?

RIDDLE: Al-, um, (Albrecht).

RIGHTHOUSE: Is it (Albrecht), I think?

PINCKARD: Department of personnel.

RIGHTHOUSE: Yeah.

PINCKARD: Not the DA's office.

RIGHTHOUSE: No, no – no.

RIDDLE: So when I went through it with her, she kept – she says, "Well, is it possible he said su-- you know, this and this is what you thought?" I said, "Well, that's possible. I – I – I just – I don't remember what he said if he said anything."

RIGHTHOUSE: Right, and I'm not putting...

RIDDLE: And so I – well...

RIGHTHOUSE: I'm not gonna put any weight on somebody saying, "Is this possible?" Because I understand you can always say something is possible.

RIDDLE: But – but – but here – here – here's the – here's the deal. I – I'm being accused of havin' a conversation with him that I don't remember, okay? My memory's not the greatest about stuff all the time. I – I – I apologize. I can't change that, okay? But when I'm talkin' with (Leslie) and she's sayin' well, this – this happened and this happened and – and this was said or maybe he said this. Is this what happened? So I'm tryin', you know, okay. What the hell happened? How did the conversation come up, 'cause obviously it did. So she's sayin' well...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 72

RIGHTHOUSE: Well, it may and it may not have.

RIDDLE: Well...

RIGHTHOUSE: We don't that it came out.

RIDDLE: Well, I d- - I...

RIGHTHOUSE: We're asking you if it came out.

RIDDLE: Okay, well, I – I – I don't know what to tell you.

RIGHTHOUSE: And – and...

RIDDLE: I'm assumin' at this point when I'm talkin' to the DA's office, there was some kind of conversation that went on. I don't remember the details of and him saying anything about handcuffs. So however that came out, it – it was not interpreted correctly or how – or I don't – I don't know what else to tell you other than what I told you already.

RIGHTHOUSE: I think that's the root of it, is I just need an explanation as to why when you talked to (Holden) you said you did not have a conversation about handcuffs.

RIDDLE: When I talked to Hol-...

RIGHTHOUSE: Or you don't...

RIDDLE: When I talked to (Holden)...

RIGHTHOUSE: Or you don't recall any, and that's okay. When you talked to me, you said the exact same thing.

RIDDLE: Okay.

RIGHTHOUSE: You did – you either did not have a conversation or if you did, you have no recollection of it; and that's okay.

RIDDLE: Okay, well let's get the big picture here, Bret, okay?

RIGHTHOUSE: Well, wait – wait – wait.

RIDDLE: Well, no – no.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 73

RIGHTHOUSE: The big picture is I have three interviews. Two of them say, "No." One of them says, "Yes." And I just need to know what happened when you talked to the DA.

RIDDLE: Okay. Taken out of context, uh, I don't know how else to tell you. But let me give you a bigger picture to look at than what...

RIGHTHOUSE: So are you sayin' what the DA said...

RIDDLE: Let me give you a bigger picture.

RIGHTHOUSE: Wait – wait. Well, if you say taken out of...

RIDDLE: Now I can't answer the question...

RIGHTHOUSE: Well if you say taken out of context, are you saying that what the DA wrote is not what you said?

RIDDLE: I – I assume it was recorded, and they – they transcribed it.

RIGHTHOUSE: Correct.

RIDDLE: Okay.

RIGHTHOUSE: And on all these little tags...

RIDDLE: No, I'm not – I'm not sayin' that that's incorrect.

RIGHTHOUSE: ...is – is places where you say, "Yes, I talked to Moncrief about un-handcuffing. I just didn't dive into it." You say stuff like you talked to him...


RIDDLE: I – okay, again.

RIGHTHOUSE: ...but you didn't ask him a lot of questions.

RIDDLE: I don't remember talking to him about handcuffing. I don't remember talking to him about handcuffing.

RIGHTHOUSE: Okay. So that's...

RIDDLE: I don't remember talking to him about handcuffing.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 74

RIGHTHOUSE: So – so – so let's go here. I don't care if you talk to him about that or not. Where – where I'm getting at is if you did not talk to Moncrief about handcuffing, why did you tell the DA you did?

RIDDLE: C- can I answer the question now?

RIGHTHOUSE: Yes.

RIDDLE: Okay. You're gonna stop and let me answer it? Okay. Now let's put this in perspective. Let's look at the big picture, okay? I'm talkin' to him when this stuff was goin' on with (Holden). I have no idea what's goin' on, okay, at this point. Until he hits somethin' – hits me up with that, I don't – I don't remember talkin' with him about anything. But him – him askin' me, obviously something happened. I get hit up with (Leslie) again. We go through the same stuff. She asks me the same questions. Obviously it's comin' up again. Somethin' happened. I don't remember. I'm tryin' to go through and remember what's goin' on. My perspective to this whole thing is totally different than what your's is. You know what he's accused of. I – I didn't know what he was accused of at the time. I wasn't payin' attention to what he was sayin'. Obviously somethin' must've been said that I didn't catch. But I wasn't in the same concept that you're in by thinking and – and knowing that something was done that was wrong. As far as I'm concerned, he's a good employee, and he hasn't done anything wrong; and I have every bit of trust in him as I do every other employee that I have until I realize there's no reason to trust him. At this point, when he's callin' me about this stuff, what he's tellin' me is not a big deal. I'm not tryin' to read through the stuff and tryin' to find somethin' to hang him before, 'cause I don't think he's done anything wrong. At the point I think he's done something wrong is the point that all of this stuff starts comin' up. Okay? So I missed somethin', obviously. I missed somethin', because I'm gettin' hit up over and over again about this same stuff, okay? So obviously somethin' happened. So I'm beatin' myself, tryin' to figure out what the hell happened. So obviously some conversation happened. I don't remember what it was. I don't remember the context. I don't remember how it happened. I'm not lyin' it didn't happen. I just don't remember it. And I don't know how to explain that to you any other way.

RIGHTHOUSE: Okay. But that's what I'm sayin'. I'm not arguing that it didn't happen. nobody knows if it did.

RIDDLE: Okay.

RIGHTHOUSE: Wait – wait – wait. Stop.

RIDDLE: At, uh, this – at this point when I am talkin' to the DA...

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 75

RIGHTHOUSE: Stop – stop. Just a second. Let me finish now...

RIDDLE: At this point when I'm talkin' to the DA about this...

RIGHTHOUSE: Just – just let me finish.

PINCKARD: Let – let Bret finish. He's – he's trying to explain what it is that he's looking at.

RIGHTHOUSE: The only person that would know if you and Moncrief had a conversation is you and Moncrief, understand.

RIDDLE: Okay.

RIGHTHOUSE: So when you tell me here that it did not happen...

PINCKARD: Or that he – he doesn't remember.

RIGHTHOUSE: ...or – or that you don't remember.

RIDDLE: Right.

RIGHTHOUSE: So if you don't remember, it's almost the same as not happening. We have no facts; right? So you're saying it didn't...

RIDDLE: Well...

RIGHTHOUSE: Well, I'm saying it – to tell me – if I said what did Moncrief tell you, and you don't remember, you would tell me nothing.

PINCKARD: No. Here's the difference between if it didn't happen and I don't remember.

RIGHTHOUSE: But, uh, well, but here's the statement I wanna read.

RIDDLE: Go ahead.

PINCKARD: Go ahead.

RIGHTHOUSE: 'Cause this is where it gets confusing is when you say stuff like this. You tell me it either didn't happen or you don't remember. You said the same thing to (Holden) roughly. You tell the DA, "I do remember him saying something about the un-handcuffing." "I do remember." So what do you remember?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 76

RIDDLE: I don't remember anything.

RIGHTHOUSE: Well why did – so that's my question.

PINCKARD: Okay.

RIDDLE: Fine.

((Crosstalk))

RIGHTHOUSE: I'm not trying to make you mad.

PINCKARD: No – no. Here's my...

RIGHTHOUSE: My question is...

RIDDLE: I'm frustrated because this is goin' over and over again the same stuff, Bret.

RIGHTHOUSE: I understand you're frustrated, but what I need to know is why did you tell the DA, "I do remember?"

PINCKARD: Where - what, uh, essentially it's – it's – and there is a difference between it didn't happen and I don't remember.

RIGHTHOUSE: There is – there is.

PINCKARD: Because if I say I don't remember, that's in the context of when I first heard it. But then as that context is fleshed out with other conversations that I'm having and other questions that are being asked of me and other information that's being given to me, it kinda changes the context to the point where now I'm speculating that oh, shit. I must've had a conversation. I just don't remember it.

RIDDLE: And that's where I'm getting at. I mean...

PINCKARD: And that's the statement...

RIDDLE: ...at this – at this point, I – there's no doubt in my mind the conversation happened, okay? So I don't – I – here's the deal. I don't wanna lie and deny that it happened, because I don't know that it happened. And I can't sit – flat – flat sit here and say to you, I know for a fact I didn't have that conversation, because that might be a lie. I don't know. And I'm – listen. And I'm not gonna lie to you about it, okay? So by the time I get to this point, there's no doubt in my mind somethin' has happened. I don't

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 77

know what it is. So is it possible I had that conversation? Yes, it is. Do you remember the details? Absolutely not. And I don't know how to clarify that anymore.

RIGHTHOUSE: But that – that's okay. And that's not what I'm questioning. What I'm questioning is when the DA talked to you, if you don't have a recollection, why would you tell him you do? He says again here...

RIDDLE: The same thing over and over.

PINCKARD: No – no. Here's – here's...

RIGHTHOUSE: You're – it says, "You remember Moncrief saying something about the un-handcuffing" "About -- something about the un-handcuffing her, but I don't remember the extent." So you do remember something is what you're telling the DA.

PINCKARD: Here's – here's what Sergeant Righthouse is – is – is stuck on. What he's stuck on – he understands the concept that look, if you didn't – if you don't remember, either you didn't have a conversation or you did but you don't remember it.

RIDDLE: Mm-hm.

PINCKARD: He – he's accepting that at face value.

RIDDLE: Got you.

PINCKARD: So when you have that initial conversation with (Holden) and (Holden) asks you and you – you're, no I don't – you – you – I don't recall or it didn't happen. When he interviews you, when Bret interviews you, the same thing. I – I – I don't recall or it didn't happen.

RIDDLE: Mm-hm.

PINCKARD: But in between there, there is a, um, a statement where the words that you have used or chosen to express your speculation create the appearance that...

RIDDLE: I...

PINCKARD: ...you are saying that I – I – I have a vague recollection.

RIDDLE: I do get it. I get it. I totally get it.

PINCKARD: So the question that – that Sergeant Righthouse is asking is look. I see these words on a page, and I accept that you – I accept that you may not have a recollection of that

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 78

conversation. I – I accept that. That – so at the time that – that (Holden) is – is asking you, I accept it when you say, "I don't remember." And he's saying that when I interview you, I accept your statement that you don't remember. But in between those two bookends...

RIDDLE: Right.

PINCKARD: ...we have statements...

RIGHTHOUSE: All these red tags.

PINCKARD: ...that have your own words.

RIDDLE: Mm-hm.

PINCKARD: So the question is; are these statements, all those red tags on the DA transcript, the conversation with the DA, those words that you chose, were you speculating?

RIDDLE: Uh, absolutely. And I – I can do nothing but speculate that something happened or I wouldn't be sittin' here goin' over this.

PINCKARD: So it is the...

RIDDLE: So I – I'm – I'm doin' the best I can to – to try not to appear that I'm being untruthful about anything, because I'm not. I have nothing to hide about this, and I understand the way that that looks by those words. But my expectation at this point in time when I'm talkin' with him is something happened. And I'm not denying that. But I don't remember anything happening as far as that conversation?

RIGHTHOUSE: And – and that's my – my question.

RIDDLE: So obviously that's not in context with what – what I was actually thinking. And I don't know how to explain that.

PINCKARD: Okay. So you're walkin' a line where you don't wanna deny, because you know that by the emphasis that's put on this topic, you know that something happened.

RIDDLE: Well obviously.

PINCKARD: So you don't want to create the impression that you're lying to the DA or you're withholding information, but the words that you are choosing...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: N.W. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 79

RIDDLE: Well, they – they were chosen wrong.

PINCKARD: ...are – there are – they're artfully chosen words. Your words, they're chosen wrong.

RIDDLE: Correct. You know, I – I been here 28 years. I'm not gonna throw my career and my life out for somethin' this small and – and crazy, okay? I like Don (Officer MONCRIEF).

RIGHTHOUSE: Uh...

RIDDLE: But if he did something wrong – hold on a second.

RIGHTHOUSE: I am.

RIDDLE: But if he did somethin' wrong, then – then I've got no problem with him dealin' with what he's got. And I would never try and – and lead him down a road to be untruthful about anything. There – that's just insane. That's like – that's me throwin' 28 years of my life away for what (unintelligible).

RIGHTHOUSE: For him to be untruthful?

PINCKARD: No, no.

RIGHTHOUSE: For - for me to figure out.

RIDDLE: To try to describe it – well, 'cause that's what I was accused of before.

RIGHTHOUSE: Right. But I – that's...

RIDDLE: And I understand...

RIGHTHOUSE: That's under the bridge.

RIDDLE: Okay, well, it's not. It's the whole – it's the whole thing that I'm dealing with here. For you it's under the bridge, but I'm dealing with this whole speculation of this cloud over my head right now. I can't go anywhere. I can't move anywhere. I can't do anything, because all this is goin' on. It's been draggin' out forever. Okay? And I can sit down and have this conversation with you five more times, which would be absolutely insane, and it's not gonna change; okay? The words I chose are – obviously were wrong. I'm assuming something happened or I wouldn't be sitting here with you. Okay? I don't recall any specifics about the details about handcuffing or anything else along those lines of what you've been asking. And I don't know how to clarify that

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: N.J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 80

anymore. I understand the discrepancy and what you're concerned about. And I get that. But my mindset at this point in time when he's talking to me is I – there – something was said. I don't want to deny it. I don't want to lie about it, okay? But I – I don't know.

RIGHTHOUSE: I – I understand not wanting to lie about it. I truly do. The confusion to me comes in like even when I ask you – I asked you in our interview, did you truly have a vague memory when you told him (The DA) you did, and you said no.

RIDDLE: No.

RIGHTHOUSE: So, to me, the question is more if you said it one time in here somewhere, I guess I would understand it better. But this many times, my question is, if you truly have no memory of it, that's okay. It doesn't matter.

RIDDLE: But it's not okay. Because I'm still sittin' here goin' over this over and over again.

RIGHTHOUSE: Well, it's not oh – it's not okay, because if you truly had no memory of it, I would think that you would tell the DA...

RIDDLE: I have no memory of it.

RIGHTHOUSE: Listen, I know you want me to say somethin'. I know you think I know somethin', but I don't. I have no memory of it. I have no clue what you're talkin' about.

RIDDLE: Okay.

RIGHTHOUSE: But instead...

RIDDLE: But by this time when I get to this, I'm – I'm already assuming that somethin' – obviously some conversation happened.

RIGHTHOUSE: Okay, but with that same – with that same twist, when I interviewed you, why didn't you tell me the same thing. Why didn't you say, well obviously I assume somethin' happened, so I do know stuff. But you told me you know nothin'.

RIDDLE: No. No – no – no – no. 'Cause there were a point when we went through this and we talked about it.

PINCKARD: Well we – yeah, we did – actually did explain in – in the – in the first interview what – he tried to explain in the first interview what the – what the reason for the discrepancy was between what you see in the DA's, uh, interview and what he told (Holden) versus what he is telling you and...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: MJ. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 81

RIGHTHOUSE: Well, and I recall that.

RIDDLE: Well, and I do, too, because I explained it and you clarified it.

RIGHTHOUSE: And that's why – and that's why – that's unfortunately why I'm back...

PINCKARD: No, I – I understand that.

RIGHTHOUSE: ...because we're trying to clarify the stark difference. I mean, it is a stark difference.

RIDDLE: I mean, I – I.

PINCKARD: What – what you have, Bret, is that you have a situation where a question is being asked, and rather than a factual response being given, a response is being given. It – it's be -- a response based on cognitive knowledge. I mean, at that point he knows that they – they think that there's a conversation. I mean, that's – that's obviously some – some conversation. Somewhere along the line somebody has drawn the conclusion that they had a conversation about handcuffing. So, well, okay, I must've had a conversation. So, you know, if that's what you're telling me and it's basically – he's not responding. He's reacting.

RIGHTHOUSE: That – that I understand. But I guess that's what I need you to better explain to me.

RIDDLE: I can't explain it better than I've just gone through this. It's not – it's not gonna get any better, right?

RIGHTHOUSE: If you – well, if you answered pretty much like Attorney Pinckard just said and had you said something to the point of I don't recall, but obviously you think something happened, so something must've happened so...

RIDDLE: I'm...

RIGHTHOUSE: ...maybe I talked to him, but I don't recall. That would be one thing. But what you – what you say in here over and over again to the DA is that you do recall. "Yes, I talked to him a little bit, but I didn't follow up. I didn't ask follow-up questions." "Yes, he told me he un-handcuffed her, but I didn't really delve into it. I knew I should've." You say stuff like that. I mean, I could read 'em all, but I don't know if want me too.

RIDDLE: Oh, I don't – I don't need you to read 'em all. I don't doubt you. I totally understand. I'm just telling you...

RIGHTHOUSE: So my confusion is...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

RIDDLE: ...at that point in time – at that point in time my mindset is obviously something happened. Eh, I don't remember what it is, so obviously it's gonna be vague. I have no frickin' clue what – what it is that was talked about. And I don't want to deny there was a conversation. If you have some – some recording of the conversations or somethin', fine. Play the stupid thing so that we can hear what the hell it is. I don't remember, and I don't know; and if you were to play something right now, a conversation that I had with him and it said it in there, I won't deny it. But I just don't remember anything happening along that line. So when I'm goin' through this with them, obviously I'm believin' that somethin' happened, which is why I'm gettin' hit up and dealin' with this again.

RIGHTHOUSE: Okay. That I understand. But when you say you don't remember and in multiple, multiple places, there's things like this where you say, "On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations." That's a direct statement. You're saying I remember him talking to me about un-handcuffing on the phone. Why would you say that?

RIDDLE: I don't know what to tell you.

PINCKARD: Because the question frames the fact – the questions that – that – that are being asked of him, are more statements, and they're tellin' him, "Look, you had a conversation with the guy." You know, if you tell me enough times that I had a conversation about this topic with him, I'm gonna believe you and say okay, yeah, well, you know, I had a conversation with him and I – I, you know, I must've done that. I must've had a conversation with him about that. And when – when the question frames the facts, then your answer is gonna track the question. And – and it's – you know, it's a poor choice of words. You're right. You're absolutely right.

RIDDLE: I understand why you're askin'. I totally understand. But I can't...

PINCKARD: The better thing to have done would have been to say...

RIDDLE: I don't recall.

PINCKARD: ...I don't recall. But he's gettin'...

RIDDLE: Well, I – I get it – I get it.

PINCKARD: ...he's gettin' pounded over and over and over...

RIDDLE: I totally understand.

PINCKARD: ...on those, you know, those questions on that specific narrow topic. It becomes, uh, a point where you're basically telling me I had that conversation. So, okay. I must've had that conversation.

RIGHTHOUSE: And I guess that's what – where the confusion comes in. Is if you...

RIDDLE: That's – yeah. I understand.

RIGHTHOUSE: ...if – if you look at the way these three interviews went, it was no, yes, no.

((Crosstalk))

PINCKARD: No, vague, no.

((Crosstalk))

RIGHTHOUSE: What you actually say you do.

RIDDLE: What about (Leslie)'s conversation? You're not taking that into consideration, either, are you?

PINCKARD: Yeah, 'cause that's another round where he...

RIGHTHOUSE: That she talks to you about it, yes.

PINCKARD: But he's being told what...

RIDDLE: But I'm – I'm – I'm tellin' you at that – that conversation...

RIGHTHOUSE: That she's sayin'...

RIDDLE: ...she's sayin' stuff like, "Isn't it possible that he talked to you about what ever?"

RIGHTHOUSE: Well, that I understand.

RIDDLE: But here's the deal. I've been – I was a detective for a long time, too.

RIGHTHOUSE: If it's not possible, I would just say no.

RIDDLE: Okay? No, listen. I was a detective for a long time, too. I understand the whole point of that and by throwin' those things out, you know, I usually know more about what's goin' on than I let on the person to know that I know; okay? So I mean, I – I can read

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.S. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 84

between the lines and understand what she's sayin'. Well, is it possible this happened? Well, yeah, it's entirely possible. You've been in court. You've been hit up with that stuff, too; right? So what're you gonna say, no it's not? I – I can't say that, because I don't know.

RIGHTHOUSE: Well, I understand that.

RIDDLE: But here – but so you're...

RIGHTHOUSE: And that's what I said. I'm not – I'm not gonna take that into consideration as far...

RIDDLE: Okay, well you should...

RIGHTHOUSE: No – no – no.

RIDDLE: ...you should take what she wrote into consideration.

RIGHTHOUSE: Wait – wait – wait. As far as a damaging thing...

PINCKARD: Yeah.

RIGHTHOUSE: ...because anyone could say is that possible? That's not a valid question. If somebody asked me is it possible, I can say yes, it's possible. Did you do it? I'm gonna just say no, I didn't.

RIDDLE: Okay, well, I don't know how to answer this any more than it was a poor choice of words, and that's not taken out of context. And my mindset at that time was obviously I said somethin' or there was some kind of conver- -- I'm sorry. There was some kind of conversation, so my statement with that – is with that in the back of my mind, 'cause obviously I wouldn't be there if it didn't happen.

RIGHTHOUSE: So when you say in here that you do remember him talkin' to you about it on the telephone, is that true?

RIDDLE: No, I don't remember any of that.

((Crosstalk))

PINCKARD: ...true or not true.

RIDDLE: ...or I wouldn't be here.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

RIGHTHOUSE: Well either correct.

PINCKARD: It's not accurate.

RIDDLE: It's not accurate. I don't remember him sayin' anything. Did I have that conversation on the phone? Probably, because obviously I wouldn't be sittin' here if I didn't.

RIGHTHOUSE: But I – I just wanna make sure we're – we're on the same page here.

RIDDLE: I don't know if we're ever gonna get on the same page, Bret. I don't know what else to tell you.

RIGHTHOUSE: I'm not – well – well, because you say probably. I am not accusing you of talking to Moncrief. If you say you did not, I mean, about handcuffing – if you tell – if you're telling me you did not talk to Moncrief about handcuffing...

RIDDLE: But I can't tell you that, because I don't remember havin' that conversation. Is it possible?

RIGHTHOUSE: Okay.

RIDDLE: Did he go in and make a statement that I had that conversation? Is he lyin'? I can't say he's not. I don't remember havin' the conversation.

RIGHTHOUSE: I will – I will – I will take that...

RIDDLE: You prefer black and white, Bret.

RIGHTHOUSE: No.

RIDDLE: Do you want – is it – is it did you say it or did you not say it? Did you have that conversation? Did you not have that conversation? I can't answer that yes or no. I don't remember havin' that conversation. I'm not gonna lie and say there's absolutely no way it happened.

RIGHTHOUSE: And – and that – and that's...

PINCKARD: And that's – that's – that's a given. And, uh...

RIGHTHOUSE: That's what I'm saying.

PINCKARD: He's okay with that.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. N. Date of Report: January 6, 2015

RIGHTHOUSE: If you don't recall it, I'm good with that.

PINCKARD: But what he's – what he's asking specifically is, if you don't recall it...

RIGHTHOUSE: Why did you say you did?

PINCKARD: Then when you're talking to the DA, why not just tell 'em, I – I – I don't...

RIDDLE: I don't know. And that obviously would have been a better choice, but at this point in time again, I'm assuming that something happened, and I'm tryin' to remember what the hell it was. I'm beatin' myself up for the last year that this crap has been goin' on, because I had no idea what was happening.

PINCKARD: Can I ask a question, because I don't know what the context of – when – when – when you're being interviewed by the DA, why are you being interviewed?

RIDDLE: I don't know.

PINCKARD: I mean, what – was it to try to make a case against Moncrief? Was that the purpose? Do you know what – whether that was the purpose of the interview?

RIGHTHOUSE: I believe, yeah, I believe the purpose of the interview is Moncrief had mentioned in his interview that he had talked to Sergeant Riddle about un-handcuffing this female, and they wanted to know what he said, because that's evidence against Moncrief.

PINCKARD: Moncrief, okay.

RIGHTHOUSE: And then when Moncrief – oh, I'm sorry. When you talked to the DA, you tell the DA that he did talk to you.

PINCKARD: You have a vague recollection. Okay.

RIGHTHOUSE: That you do remember stuff.

PINCKARD: Wh- when you're being interviewed by the DA's office...

RIGHTHOUSE: So you're actually damaging Moncrief by saying you are remembering things if you don't.

PINCKARD: Give – given the context of everything that was goin' on, you know, the – the timeline of events, the timing of this interview when – when you put that into, uh, you know, the timing of this interview when you put it on the timeline of that entire, eh,

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

investigation and all of the – the – the publicity and all that crap that was goin' on, uh, did – did you feel, uh, some sense of – of – of duty or some sense – pressure even if it wasn't intentional? Did you feel some – some compulsion to try to be helpful to the DA in their interview?

RIDDLE: Mm, here – here's my goal. My goal is to try and be helpful to (Holden), to you even right now while you're goin' after me. My goal is to be helpful and to be honest and straight forward with you, 'cause I have nothing to hide. Okay? So I – it's – it's a – it – I don't know how to explain that anymore. I mean, the way he said is – is accurate. The fact that I can't put the words out on the page the same way he does is probably why he gets paid a hell of a lot more than I do. Okay? But, ch, we keep goin' around the same thing over and over again. I understand the discrepancy. It's obviously taken out of content. My mindset at this point in time was the conversation happened. I'm tryin' to remember what it was, tryin' to figure out exactly how it could have possibly come out and how that might be beneficial to them, to you, to whoever. I'm not trying to hide anything for Don. If he did something wrong, frickin' deal with it, okay? But I know I didn't do anything intentionally wrong. And that's what's really bothering me. Okay?

RIGHTHOUSE: And I guess that's what bothers me, to be honest, when I try to sort this out. It's like you're saying. You were a detective. You've been on for 28 years. Just because somebody assumes you did something, put yourself in the bad guy's spot, like when you're interviewing somebody. The worst thing you could possibly do is say, I assume you want me to say this, so I'm gonna say it. And then you're gonna end up being convicted of something you didn't do.

RIDDLE: And well, you know what, obviously I was overthinking the whole thing...

RIGHTHOUSE: And that's what I'm asking.

RIDDLE: ...is the biggest problem, okay?

RIGHTHOUSE: If asking you a direct question, did you talk to Moncrief on the telephone about this...

RIDDLE: Well...

RIGHTHOUSE: ...and you answer that you did...

RIDDLE: Well, obviously I was over- thinkin' the whole thing, is probably because I'm – I'm – I don't – I don't – I'm spinnin' here. I really don't know what else to tell ya.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

PINCKARD: Well, I guess, you know, probably a – a more appropriate – well, not a more appropriate, but an appropriate follow-up question is, uh, at any point during your interview with the DA's office, did you, uh, were you intentionally dishonest with them for the purposes of misleading them?

RIDDLE: No. I tr- -- I don't want to mislead you. I don't want to mislead them. I'm not trying to mislead anybody. Obviously my choice of words were not the best in the situation that was goin' on; and I understand why you're askin', totally get it. I'm not mad at you for askin'. I'm not mad at you for investigating this. I'm gettin' a little pissed off, because we keep goin' over the same thing over and over again; and I don't know what to say to try to answer your questions any better than I'm able to articulate it right now. I apologize. I can't articulate this any better than I'm doin' right now.

RIGHTHOUSE: All right. So when you told the DA that you did have information and you did talk to him on the phone, etc., etc., I guess you're just gonna have to sum it up for me. Why did you do that? How – how would that happen?

RIDDLE: Because at this point I'm assuming there was a conversation that happened.

RIGHTHOUSE: Right, and you're – you're...

RIDDLE: And – and I don't – I'm tryin' to tell you.

RIGHTHOUSE: But you – you're a 28-year cop just like you told me. You were a detective just like you told me. Just because you assume something happened, you wouldn't admit to it.

RIDDLE: Okay. I'm trying to be as straight forward and forthcoming as I can with everybody-everybody about this. At this point I am assuming that something else happened, and I missed it.

RIGHTHOUSE: Right, but straight forward you would say I assume something else happened, but since I missed it, I don't know anything about it. You wouldn't say, yeah, I recall it or yeah, I remember it.

((Crosstalk))

PINCKARD: Well, but he's trying to be helpful. I mean, he's trying to be helpful. He's tryin' to – you know, he's – he's...

RIGHTHOUSE: And I know it frustrates you, and I'm sorry for that.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 89

PINCKARD: Yeah, it's a combination of tryin' to be helpful and speculating and what comes out is an inaccurate statement. Now there's a vast difference between a dishonest statement and an inaccurate statement. You know, people say things all the time, because they want to try to be helpful or they wanna move the, uh, the interview along or whatever the case may be. Uh, but it's not dishonest. It's inaccurate. It's wrong. You know, it's factually wrong. Um, uh, I – I don't know that he can explain it any better than he already has. You know, he believed by this point that a conversation must have occurred. He had a conversa- -- he knows he had a conversation with this guy. I mean, 'cause he's blowin' his phone up. He's talkin' to him. He's textin' him. So he knows he had a conversation with him. And now he believes based on everything else being put into context that he must've had a conversation with him about handcuffing. And he tells him in an effort to be helpful, yeah, um, yeah, I have a vague recollection, but I can't tell you what the details are. Well, if he can't tell 'em what the details are...

RIDDLE: 'Cause I don't frickin' remember.

PINCKARD: ...is because he doesn't remember the conversation.

RIGHTHOUSE: All right. And I – and I understand that.

PINCKARD: The words were poorly chosen. There's no question about it. The words were poorly chosen.

RIGHTHOUSE: Maybe – very poorly chosen.

PINCKARD: And maybe that's what...

RIDDLE: No, I – I totally agree.

PINCKARD: ...that's what you need.

RIDDLE: I agree with you and – and I – but I have said that.

PINCKARD: I can't put the words in your mouth.

RIDDLE: Obviously that's not the right content that I meant it to come out, and they were poorly chosen words, and it – it's not accurate to what we've interviewed and talked about.

RIGHTHOUSE: You make – you make a statement like you, you say, "I vaguely..." – talkin' about Moncrief – "I vaguely remember him saying something about un-handcuffing her at some point and that he knew he shouldn't have done that. I don't even remember what I said to him, to be honest with you about it."

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 90

PINCKARD: Okay, well...

RIGHTHOUSE: So you're actually sayin' that you do remember him sayin' somethin' about un-handcuffing, and he even told you that he shouldn't have. Why would you say that to the DA?

RIDDLE: Well – well, because I'd been hit up with that over and over again.

RIGHTHOUSE: No – no – no, but...

RIDDLE: Okay. No – no. You asked me a question. Let me answer it. Okay? I'd been hit up with that over and over again. And – and I'd been asked that same question. "Did he talk to you about un-handcuffing?" "Did he talk to you about what he – what he did or why he did it?" "Did he know it was wrong?" "What did he do?" I – I've been tau- -- I've been asked and gone over that stuff with (Holden), with (Leslie), with you, with the DA. I mean, I'm assumin' it happened. I don't want to deny it, because I don't know.

RIGHTHOUSE: But if you assume it happened and you don't know it for a fact...

RIDDLE: Okay, poor choice of words. I fucked up...

PINCKARD: Yeah, but if I deny it.

RIDDLE: ...and didn't say it right. I don't know what else to tell you.

PINCKARD: If I deny it and then there's contrary evidence to that, then I'm liar, because I absolutely denied something. So (unintelligible) .

RIDDLE: And that's exactly correct.

RIGHTHOUSE: Well, if you say – if you say I don't remember...

PINCKARD: Yeah, that would've been a better thing.

RIDDLE: Yeah, ab- absolutely.

RIGHTHOUSE: Okay, because they – because they – not only do you vaguely remember the un-handcuffing, but he even told you that it was wrong. That's a statement.

RIDDLE: Well, I – I don't know what to tell you. I don't remember...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 91

RIGHTHOUSE: And the opposite of that...

RIDDLE: And – and I'm not denying that that's on there. Obviously it was a poor choice of words.

RIGHTHOUSE: The opposite would be when you talk to me and you do say you don't recall. I mean, this is – this is – well I do say black and white. I think this is pretty black and white. This is you tellin' me you don't recall, and I'm good with that.

RIDDLE: Mm-hm.

RIGHTHOUSE: But this is you telling someone else not only do you recall, but you remember him even telling you that it was wrong and...

PINCKARD: Because those are the questions that are being presented to him by Sex Crimes, by (Leslie), by the DA. So...

RIDDLE: I would just – I would just ask you as you're going in this, whatever decision you're making, make sure you look at all of it, okay? Make sure you look at...

RIGHTHOUSE: At Leslies...

RIDDLE: Make sure – well, it doesn't always happen. Make sure you look at what (Leslie) said. Make sure you look at her report. And if it's not accurate, maybe you should talk to her about the conversation that we had, okay? Because it – it gears down the same lines of why I'm telling you at this point in time, I'm almost pretty much believin' that there was a conversation. Doesn't change the fact of whether I remember it or not, 'cause I still don't.

PINCKARD: But you've convinced me that I had a conversation with him about this.

RIGHTHOUSE: So I guess in a nutshell, wrappin' it up, because you believed you had a conversation that you don't remember, you said you did.

PINCKARD: And the reason I believed that I had the conversation...

RIDDLE: Because I'd been told over and over again, asked about this conversation that happened.

RIGHTHOUSE: So when I interviewed you after this interview, why didn't you just tell me the same thing?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

RIDDLE: Why...

RIGHTHOUSE: Why didn't you just say, I do have a vague memory. He did call me on the phone. I did talk to him about the un-handcuffing.

RIDDLE: When you interviewed me?

RIGHTHOUSE: Yeah.

RIDDLE: Because I don't have a vague memory.

RIGHTHOUSE: So that's my point. So why didn't you tell him the same thing?

RIDDLE: I understand that. And when we talked last time, I told you that that was taken out of context. And at that point in time, I had already been hit up so many times about this, in my mind I – I still right now sittin' here, I'm pretty confident there was probably some kind of conversation along that line. It still doesn't change the fact that I don't remember what it was, 'cause I wasn't lookin' at him as far as doin' somethin' wrong. At that point in time, I had no frickin' clue there was somethin' wrong. So there were things that had I known, if I was in your seat right now and knowing everything what's goin' on, I would've paid a lot more attention to the specific details of what was said on that conversation on the phone. At the time I had it with him, I wasn't that worried about it, because what I was talkin' about wasn't a big deal. I had a lot of other things goin' on in my life. I'm very busy. I got a lot of other stuff goin' on. He's not the – the most of my worry 'til now. So I – I don't – I don't know what else to tell you.

RIGHTHOUSE: All right. The only other question I have for you is when you received the email from Moncrief in April and when we had our interview, you told me that you didn't give that email to (Holden), because you knew that Moncrief had already quit the department and left...

RIDDLE: Well, I was told that he had quit, that we'd already – we had, uh, his – the girl that accused him was arrested, that the whole thing was gettin' dropped, nothing was goin' anywhere; so I didn't send it over to him.

RIGHTHOUSE: Who – who told you Moncrief quit? What information did you have that Moncrief wu-- quit the department in April?

RIDDLE: Oh, besides the news and everybody else talkin' about it? Those rumors that were flyin' around. I – I don't know – I don't know what to tell you. That's what everybody was talkin' about, that he had quit, that stuff had gone to the DA's office, the female that made the accusation was arrested again down at Southern Division and at 10A51,

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

that the whole thing was washed out, it wasn't goin' anywhere, he had filed a lawsuit. That's what was happenin', okay?

RIGHTHOUSE: So were you – were you assuming he quit?

RIDDLE: Well, I guess again, here we go with assuming that the rumors are correct and assuming that maybe what said happened maybe happened.

RIGHTHOUSE: Well you – I – I'll just tell you. I mean, I'm not hiding anything from you.

RIDDLE: Well, no, I'm not trying to hide anything and I – I don't...

RIGHTHOUSE: The email you got was in April. Moncrief didn't leave the department until May 12.

RIDDLE: Okay, well, I don't know what to tell you. I was told that he – he was quittin' and everything was done.

RIGHTHOUSE: All right.

RIDDLE: So, I mean, when I – when I sat down – the next time I sat down and had a conversation, I brought everything to the table, every- everything that happened. I – I gave it to wa- -- I mean, I – I gave it to the DA when – when they were sittin' there and I – in fact, I brought it to their attention, said, "Hey, for – for your purpose down the road..." You talk about tryin' to be honest and straight forward, tryin' to be helpful, down the road, if this is gonna help, 'cause obviously at that point in time when they hit me up, I learned that maybe they were lookin' at it again. H- here's somethin' to go forward with if it'll help you.

SAYASANE: Why didn't you bring that to, uh, to (Holden) or in Sex Crimes?

RIDDLE: Because at that time I was told that he – er, under the belief he had quit and the charges weren't goin' forward. The female had been arrested. Everything was dead in the water. He'd filed a lawsuit against the department, and that's the direction everything was goin'. So...

SAYASANE: You don't think that'd be helpful to the department...

RIDDLE: Well, obviously now I do.

SAYASANE: ...towards the lawsuit or?

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 94

RIDDLE: Well, why do you think we're talkin' to the DA's office and city attorney or whoever else is gonna be comin' up?

SAYASANE: Okay.

RIDDLE: I mean, that's...

SAYASANE: And what...

RIDDLE: ...that's why I provided it and gave it to them, because I thought it might be helpful.

PINCKARD: When – when was the, uh, DA interview?

SAYASANE: June.

RIGHTHOUSE: June 6, 2014.

PINCKARD: Do you know when the CRE came out on that?

RIGHTHOUSE: No, not off hand.

PINCKARD: What was – what – what do you say was his actual separation date?

RIGHTHOUSE: I believe it's May 12, is what's stated on the letter.

((Crosstalk))

PINCKARD: I think we're just chasin' our tails at this point.

RIDDLE: Yep.

RIGHTHOUSE: It's about 2314. That'll conclude the interview.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.N. Date of Report: January 6, 2015

CONCLUSIONS:

1. PROCEDURE – NOT SUSTAINED

Sergeant Steven RIDDLE, ID 4311, dissuaded Officer Donald MONCRIEF, ID 6388, from divulging pertinent information during a criminal sex crimes investigation.

Department Policy 9.15, Performance of Duty Policy, revised January 26, 2004 states in part:

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

On February 19, 2014, Officer Donald MONCRIEF, ID 6388, was interviewed by Sergeant Mike HOLDEN, ID 4997, and Detective Leslie ALBRECHT, ID 4517, of the Sex Crimes Unit. During his interview Officer MONCRIEF alluded to speaking with Sergeant Steven RIDDLE, ID 4311, and telling him about un-handcuffing the female prisoner in his charge. Officer MONCRIEF said Sergeant RIDDLE had told him he did not have to mention the un-handcuffing of the female prisoner during the interview.

During the Sex Crimes Unit interview on February 19, 2014, Officer MONCRIEF said:

You can ask Sgt. Riddle yourself. I seriously said. When I told him about it I said the two things I know is for a fact...one that I probably should have handed her over (to Gangs). And two was that I did unhandcuff her on the way there. And he said you don't have to mention that.

Prior to Officer MONCRIEF being interviewed by the Sex Crimes Unit, he spoke with Sergeant RIDDLE several times by telephone.

During his interview with Internal Affairs on November 12, 2014, Sergeant RIDDLE was asked and answered:

“...when this all started he (Officer MONCRIEF) called me...”

Sergeant RIDDLE said he did not advise Officer MONCRIEF to withhold any information from the Sex Crimes investigators.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 96

During his Sex Crimes Unit interview with Sergeant HOLDEN on February 25, 2014, Sergeant RIDDLE was asked and answered:

HOLDEN: ...be clear on the fact as that, uh, you have no memory of - of him telling you about her - about un-handcuffing her that night during the - any time during the transport and that, uh, you, uh, have no memory of - of, uh, telling him not to be, uh...

RIDDLE: No I don't.

HOLDEN: ...not to hold - withhold information from us during this interview.

RIDDLE: No, no. Hell no.

On March 21, 2014, when Sergeant RIDDLE brought his Department cellular telephone to Detective ALBRECHT so it could be downloaded, he made the following statement documented in her investigation:

While the phone was being downloaded, Sgt Riddle told me that he has been thinking a lot about his telephone interview with Sgt. Mike Holden. He said that there is one part that still bothers him. He stated that Mike (Sgt. Holden) had asked him if he advised Moncrief to not tell us during the interview with him about him (Moncrief) unhandcuffing his female prisoner. Sgt. Riddle told me that he still can't remember doing that. He said he was thinking that if he did speak about the unhandcuffing with Moncrief, he would never have advised him to omit or lie about something. He stated if it had been brought up, he would have probably said something more like, "It's no biggie." Or, "That's not something to worry about." He told me that he would have never told anyone working for him to leave something out of an interview. He knew he would never do that. Sgt Riddle stated but he just couldn't remember anything about that during his conversation with Moncrief.

During his Internal Affairs investigation on November 12, 2014, Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: Would you have told him anything about not volunteering information or anything around that - those lines?

RIDDLE: I - I - not...

RIGHTHOUSE: Don't - don't tell 'em if they don't ask, anything like that?

RIDDLE: Not - well, I mean, like I said, I never would've intentionally directed him not to be truthful. That would've of been my - I mean, I never would've done that intentionally, so I - I - I don't know. I mean, during our

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

conversations, I don't know if - how things were perceived or what - how - how it happen, but I don't remember having a conversation with him about the cuffs. I don't remember directing him to be untruthful about anything, which I'm assuming what you're asking. I mean, if anything I was trying to do everything I could to try and get him to go down there and deal with the drama that he had, which like I said, to me at the time was the fact that he jump those - that chain of command and I'm just - I was kinda freaked out about the fact that it - it went that direction and unknowing what was happening, and even to this day I still don't know other than watching the news, what happen with this whole thing.

During his Sex Crimes interview Officer MONCRIEF speaks of having told Sergeant RIDDLE about un-handcuffing the female prisoner and alludes to Sergeant RIDDLE having told him not to volunteer information during the investigation. Sergeant RIDDLE, in several interviews, denied he told Officer MONCRIEF to withhold information during his interview. There is no way to prove or disprove what Sergeant RIDDLE told Officer MONCRIEF in regards to this allegation. The allegation is **NOT SUSTAINED**.

2. PROCEDURE - SUSTAINED

Sergeant Steven RIDDLE, ID 4311, received a text message from Officer Donald MONCRIEF, ID 6388, in April 2014. The text message contained possible incriminating information relating to an active sex crimes investigation Sergeant RIDDLE had knowledge of. Sergeant RIDDLE failed to provide provided the information to the Sex Crimes Unit.

Department Policy 9.15, Performance of Duty Policy, revised January 26, 2004 states in part:

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

Prior to his interview by the Sex Crimes Unit on February 19, 2014, Officer MONCRIEF spoke via the telephone to Sergeant RIDDLE on multiple occasions. Sergeant RIDDLE had knowledge that Officer MONCRIEF was going to be interviewed by the Sex Crimes Unit.

During his interview with the District Attorney on June 6, 2014, Sergeant RIDDLE, talking about when Officer MONCRIEF made a statement to him via the telephone, said:

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 98

IRVING: Do you know when that was?

RIDDLE: Well, it would have been before he went down to see Holden.

On February 25, 2014, Sergeant RIDDLE was interviewed by Sergeant HOLDEN of the Sex Crimes Unit. The interview was in regards to Officer MONCRIEF and his actions with a female prisoner he had un-handcuffed and transported in his police car. Sergeant RIDDLE was told there was a criminal investigation regarding Officer MONCRIEF.

During the interview Sergeant RIDDLE was told and answered:

HOLDEN: Good. Hey I just want to let you know I'm recording the phone call. As you know...

RIDDLE: Okay.

HOLDEN: ...we're conducting a criminal investigation into, uh, Donald Moncrief so, uh, just...

RIDDLE: Not a problem.

In April of 2014 Sergeant RIDDLE received the following text message crafted by Officer MONCRIEF.

"Hey Sarge. Cesar told me he talked to you. I was reluctant to talk to you because you really became almost a father figure to me. I wanted to be like you more then anything. I know I'm not supposed to talk about this stuff and I'm sure if this does go to court (even though Rick keeps telling me that it's going to get dropped) you will have to testify but I want you to know the truth. I'm sorry for bringing you in on all this shit. I couldn't bring myself to tell you about her master bating in the back seat because I was embarrassed that my actions allowed that to happen and that she felt like I was a weak enough cop that she could get away with it. But once I cuffed her around the corner from Colinas she was fully clothed and I never touched her in any way. I thought at the time she was trying to set me up but if I reported it I would also have to report that I left her unhandcuffed. I was paranoid about it for 3 months. I figured the next time she was arrested she would tell the officer that the cop who arrested her last time left her uncuffed and she was able to masterbate I'm the back seat. She was the original person who gave me [REDACTED] nickname and a bunch of other stuff. I just thought if I showed her the courtesy of riding to Santee unhandcuffed she would keep giving me info. I was so consumed with getting good gang info. I'm sorry that I let everyone down but most of all I let you down and now I will never get to be a detective anyway."

Sergeant RIDDLE did not provide this information to the Sex Crimes Unit.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: N.J. Date of Report: January 6, 2015

During his Internal Affairs interview on November 12, 2014, Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: ...I'm just trying to make it clear. I don't wanna make it more confusing. Uh, you received a text message from MONCRIEF in April that you provided in the DA's interview.

RIDDLE: Correct.

RIGHTHOUSE: Did you provide that text message to HOLDEN or Sex Crimes knowing that there was a Sex Crimes investigation taking place?

RIDDLE: I was told that the whole thing was washed out and everything was - wasn't going anywhere, so I never forwarded the stuff up (unintelligible).

And,

RIGHTHOUSE: ...when you got the text did you contact HOLDEN to say, "Hey, you interviewed me about a Sex Crimes incident. I have evidence to that Sex Crimes incident," to turn it over to HOLDEN?

RIDDLE: No, but like I said, I told you, I was told that everything was washed out, nothing was - was going that they had declined to go forward.

Sergeant RIDDLE claimed he was told by others that the case against Officer MONCRIEF was not "going anywhere" so he did not provide the information to the Sex Crimes investigators.

During his Internal Affairs interview on November 12, 2014, Sergeant RIDDLE was asked and answered:

RIDDLE: I heard it from the lieutenant. I heard it from the captain. I heard from other people that things weren't going anywhere.

During his Internal Affairs interview on December 10, 2014, Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: All right. The only other question I have for you is when you received the email from Moncrief in April and when we had our interview, you told me that you didn't give that email to (Holden), because you knew that Moncrief had already quit the department and (unintelligible).

RIDDLE: Well, I was told that he had quit, that we'd already - we had, uh, his - the girl that accused him was arrested, that the whole thing was gettin' dropped, nothing was goin' anywhere; so I didn't send it over to him.

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 100

RIGHTHOUSE: Who – who told you Moncrief quit? What information did you have that Moncrief wu- -- quit the department in April?

RIDDLE: Oh, besides the news and everybody else talkin' about it? Those rumors that were flyin' around. I – I don't know – I don't know what to tell you. That's what everybody was talkin' about, that he had quit, that stuff had gone to the DA's office, the female that made the accusation was arrested again down at Southern Division and on 10851, that the whole thing was washed out, it wasn't goin' anywhere, he had filed a lawsuit. That's what was happenin', okay?

RIGHTHOUSE: So were you – were you assuming he quit?

RIDDLE: Well, I guess again, here we go with assuming that the rumors are correct and assuming that maybe what said happened maybe happened.

RIGHTHOUSE: Well you – I – I'll just tell you. I mean, I'm not hiding anything from you.

RIDDLE: Well, no, I'm not trying to hide anything and I – I don't...

RIGHTHOUSE: The email you got was in April. Moncrief didn't leave the department until May 12.

RIDDLE: Okay, well, I don't know what to tell you. I was told that he – he was quittin' and everything was done.

RIGHTHOUSE: All right.

RIDDLE: So, I mean, when I – when I sat down – the next time I sat down and had a conversation, I brought everything to the table, every- everything that happened. I – I gave it to wa- -- I mean, I – I gave it to the DA when – when they were sittin' there and I – in fact, I brought it to their attention, said, "Hey, for – for your purpose down the road..." You talk about tryin' to be honest and straight forward, tryin' to be helpful, down the road, if this is gonna help, 'cause obviously at that point in time when they hit me up, I learned that maybe they were lookin' at it again. H- here's somethin' to go forward with if it'll help you.

SAYASANE: Why didn't you bring that to, uh, to (Holden) or in Sex Crimes?

RIDDLE: Because at that time I was told that he – er, under the belief he had quit and the charges weren't goin' forward. The female had been arrested.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 101

Everything was dead in the water. He'd filed a lawsuit against the department, and that's the direction everything was goin'. So...

SAYASANE: You don't think that'd be helpful to the department...

RIDDLE: Well, obviously now I do.

On February 25, 2014, Sergeant RIDDLE was interviewed by the Sex Crimes Unit and was told about the criminal investigation against Officer MONCRIEF. In April of 2014, Sergeant RIDDLE received the text message from Officer MONCRIEF in which he admitted to possible incriminating information. Sergeant RIDDLE did not notify anyone of having received this information. Sergeant RIDDLE only came forward with the information on June 6, 2014, because he was interviewed in connection with the criminal case by the District Attorney's Office.

Sergeant RIDDLE, himself stating during his interview, he has been a San Diego Police officer for 28 years and a police detective. As a prior detective, and as a police supervisor, Sergeant RIDDLE knows the importance of the information he was provided by Officer MONCRIEF. Sergeant RIDDLE, knowing the information was important, eventually provided the information to the District Attorney during an interview, saying he thought it would be helpful "down the road". Sergeant RIDDLE'S assumption the case against Officer MONCRIEF was going to be dropped, or his assumption in April of 2014 that Officer MONCRIEF had resigned from the Department did not absolve him from bringing forth the information when he received it. In fact his assumption was wrong and Officer MONCRIEF did not resign until May 12, 2014. Sergeant RIDDLE, having been involved in the Sex Crimes investigation as a witness, should have known the possible importance of the information and provided it to the Sex Crimes investigators immediately upon receipt. The information contained in the message would have been important to investigators because it corroborated the fact Officer MONCRIEF un-handcuffed the female prisoner, drove her to Santee while un-handcuffed, that she masturbated in the police vehicle, and that he had stopped to re-handcuff her away from Los Colinas.

Sergeant RIDDLE, being a police supervisor, should have the competency and knowledge in his duties to know the importance of the information he was provided by Officer MONCRIEF. Sergeant RIDDLE'S unwillingness or inability to perform the task of notifying the Sex Crimes Unit, for whatever reason, limits the efficiency and functions of the Department by withholding possible pertinent information from the investigative unit. The allegation is **SUSTAINED**.

3. PROCEDURE - SUSTAINED

Sergeant Steven RIDDLE, ID 4311, was untruthful in matters relating to his duties.

Department Policy 9.29, Truthfulness Policy, states:

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.N.</u>	Date of Report:	<u>January 6, 2015</u>		

Members shall be truthful in all matters relating to their duties.

Upon the order of a superior, or any officer appointed by the Chief of Police to conduct internal investigations, and in accordance with Constitutional and contractual guarantees, including a right to representation, members shall truthfully answer all questions specifically directed and narrowly related to their scope of employment and operations of the Department.

Sergeant RIDDLE spoke with Officer MONCRIEF via the telephone multiple times prior to Officer MONCRIEF being interviewed by the Sex Crimes Unit. Officer MONCRIEF shared information about his situation with the female prisoner with Sergeant RIDDLE. To what extent Officer MONCRIEF and Sergeant RIDDLE discussed the situation is unknown. A key element in the criminal case was Officer MONCRIEF'S un-handcuffing of the female prisoner during transport to jail. Officer MONCRIEF also alluded to Sergeant RIDDLE advising him not to disclose the handcuffing information during his interview.

On February 25, 2014, Sergeant RIDDLE was interviewed via the telephone by Sergeant HOLDEN of the Sex Crimes Unit. Sergeant HOLDEN asked Sergeant RIDDLE if Officer MONCRIEF had told him he un-handcuffed the female prisoner. He also inquired as to whether Sergeant RIDDLE told Officer MONCRIEF not to mention the un-handcuffing during the interview.

During this interview, Sergeant RIDDLE repeatedly claimed he *did not* speak with Officer MONCRIEF about him un-handcuffing the female prisoner and/or had *no recollection* of speaking with Officer MONCRIEF about him un-handcuffing the female prisoner.

During his interview with Sex Crimes Unit Sergeant HOLDEN on February 25, 2014, Sergeant RIDDLE was asked and answered:

HOLDEN: Did, uh, any time his - did he (Officer MONCRIEF) ever tell you, um, that he un-handcuffed, uh, [REDACTED] during his transport?

RIDDLE: No. Not - well I - I didn't really talk about the transport or anything so I have no idea about...

And,

HOLDEN: Did he (Officer MONCRIEF) ever tell you that he had her un-handcuffed, um, during that arrest that night?

RIDDLE: Not - not that I can remember.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 103

Sergeant HOLDEN asked Sergeant RIDDLE if he recalled Officer MONCRIEF telling him about having un-handcuffed the female prisoner. Sergeant RIDDLE was asked and answered:

HOLDEN: Okay. You - you don't...

RIDDLE: I would think so.

HOLDEN: ...remember any conversation with him (Officer MONCRIEF) regarding, uh, un-handcuffing this, uh, FLORES during his, uh, the time she was...

RIDDLE: I - I - I - I - I don't.

Sergeant HOLDEN asked Sergeant RIDDLE about whether he had a memory of Officer MONCRIEF telling him he un-handcuffed the female prisoner and if he had told Officer MONCRIEF to withhold information. Sergeant RIDDLE was asked and answered:

HOLDEN: ...be clear on the fact as that, uh, you have no memory of - of him telling you about her - about un-handcuffing her that night during the - any time during the transport and that, uh, you, uh, have no memory of - of, uh, telling him not to be, uh...

RIDDLE: No I don't.

HOLDEN: ...not to hold - withhold information from us during this interview.

RIDDLE: No, no. Hell no.

On March 21, 2014, Sergeant RIDDLE went to the Sex Crimes Unit office to deliver his Department cellular telephone to Detective ALBRECHT. While she was downloading information from Sergeant RIDDLE'S Department telephone Sergeant RIDDLE spoke to her about his interview with Sergeant HOLDEN. She documented the conversation in her report as follows:

While the phone was being downloaded, Sgt Riddle told me that he has been thinking a lot about his telephone interview with Sgt. Mike Holden. He said that there is one part that still bothers him. He stated that Mike (Sgt. Holden) had asked him if he advised Moncrief to not tell us during the interview with him about him (Moncrief) unhandcuffing his female prisoner. Sgt. Riddle told me that he still can't remember doing that. He said he was thinking that if he did speak about the unhandcuffing with Moncrief, he would never have advised him to omit or lie about something. He stated if it had been brought up, he would have probably said something more like, "It's no biggie." Or, "That's not something to worry about." He told me that he would have never told anyone working for him to leave something out of an interview. He knew he would never do that. Sgt Riddle stated but he just couldn't remember anything about that during his conversation with Moncrief.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.N.</u>	Date of Report:	<u>January 6, 2015</u>		

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 104

Sergeant RIDDLE again states he *does not* recall anything about Officer MONCRIEF un-handcuffing the female prisoner, saying, "...if he did speak about the un-handcuffing with MONCRIEF, he would have never advised..." and that "if it had been brought up, he would have...". Sergeant RIDDLE also said he couldn't remember anything about that during his conversation with Officer MONCRIEF.

On June 6, 2014, Sergeant RIDDLE was interviewed by District Attorney Annette IRVING and District Attorney Investigator Jonathan SMITH. In stark contrast to what Sergeant RIDDLE told Sex Crimes Sergeant HOLDEN and Sex Crimes Detective ALBRECHT, he testified to the District Attorney that Officer MONCRIEF *did* discuss un-handcuffing the female prisoner with him and that he did know it had occurred.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE was the first to mention the topic of knowing that Officer MONCRIEF had un-handcuffed the female prisoner when he said:

SMITH: Did you ever bring up, uh, is it something of a sexual nature?

RIDDLE: No.

SMITH: Nothing like that?

RIDDLE: And you know what, and it...which bothers me now because I didn't even...didn't even register to even, you know, ask.

SMITH: Sure.

RIDDLE: I didn't even think it was anything like that. It just...you know, the whole thing blew me away and when I found out about it. Um...

SMITH: Okay, so...

RIDDLE: But, he did make some comment, and I...when I talked to, uh, Holden and to Leslie, um, huh, I...I vaguely remember and I just don't remember the content about, you know, him un-handcuffing her at some point that he knew he shouldn't have.

SMITH: He told you that he did?

RIDDLE: Yes, he mentioned something about it. I just don't remember how...how it...how it came out. Um, and when I was talking to Leslie and, uh, um, Mike I just...

SMITH: Okay, so...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 105

RIDDLE: I couldn't...I couldn't remember the content or whether...what he had said along that. And, uh...

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE, again talking about the un-handcuffing, brings up a scenario stating, "...to what it seemed like with me was like at Colinas she was un-handcuffed or something for a little bit to stretch her arms and, you know, or something like that."

Sergeant RIDDLE said to the District Attorney:

SMITH: And...and at some point he tells you he's worried about a policy violation, right?

RIDDLE: Well, he...he mentioned that at the beginning. He thought he screwed something up by giving his phone number out, and I said...

SMITH: I don't...I'm talking about the un-handcuffing.

RIDDLE: Right, right.

SMITH: Okay.

RIDDLE: And...and I don't remember the exact content of how that went. And when I talked to, um, Mike and, uh, Leslie they were asking about it. And I said, "Man, I it's..." I don't specifically remember him going into that. And I don't...I don't even remember how we talked about when it happened, how it happened, how long it was. I mean from what it...to what it seemed like with me was like at Colinas she was un-handcuffed or something for a little bit to stretch her arms and, you know, or something like that.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE tells the District Attorney he believes Officer MONCRIEF told him about un-handcuffing the female prisoner when he spoke to him on the telephone while MONCRIEF was reroute to see Sergeant HOLDEN. Sergeant RIDDLE was asked and answered:

RIDDLE: No, and in fact, at one point when he (Officer MONCRIEF) was...I think he was heading down to see Holden, and you know what that might have been when he mentioned...it might have been when he mentioned that because I remember him telling...

SMITH: He was going to see Holden.

RIDDLE: He was...he was gonna go down to see Holden. And, I'm...I said, "Dude, you just need to go down and be honest with them, and uh, you know tell him what's going

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 106

on." I would never have told him to, you know, hide anything.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE continues to tell the District Attorney he knew Officer MONCRIEF had un-handcuffed the female prisoner. Sergeant RIDDLE was asked and answered:

SMITH: And he told you he un-handcuffed her at some point.

RIDDLE: Right.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE discusses what he perceived Officer MONCRIEF meant when he told him that he had un-handcuffed the female prisoner. Sergeant RIDDLE even recounts telling Officer MONCRIEF, "You know don't..." you know, I mean obviously you probably shouldn't have done that (laugh) you know that kind of thing." Sergeant RIDDLE says:

SMITH: Okay. Um, and had that in fact occurred, "Hey, Serg, I un-handcuffed and took her all the way to Colinas." You would have taken some kind of corrective (unintelligible)?

RIDDLE: I would have done something. I mean you keep...

SMITH: That's not something you'd blow off.

RIDDLE: No, and you know what, I...I didn't even ask him to clarify what he was talking about. And I assumed just liked you said, it was kind of taking 'em off to stretch, and I said, "Well, you know..."

SMITH: I...I brought up the stretching scenario 'cause I thought you were saying.

RIDDLE: Well, no, no see and that's what I perceived.

SMITH: That's how you took.

RIDDLE: Exactly—I said, You know don't... you know, I mean obviously you probably shouldn't have done that (laugh) you know that kind of thing.

SMITH: But, isn't that...it's not unusual...

RIDDLE: No, it's not.

SMITH: ...if you're at the Sally port and someone says, "I got a bad shoulder or the cuffs are too tight."

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 107

RIDDLE: You can take 'em off (unintelligible)

SMITH: My...my arm is numb. I mean, we've all had that, right?

RIDDLE: Right.

SMITH: And so, that's not something that would even be considered wrong, right?

RIDDLE: Right.

SMITH: That would be proper.

RIDDLE: Right.

SMITH: And so, if you got the impression that the un-handcuffing was due to something like that, you're not thinking anything improper occurred.

RIDDLE: No, and I'll be honest with you, I...after going back and thinking about all this stuff for the months that it's gone on, you know there were...there were things that he said that I just didn't even register. I didn't even think anything of it...

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE talks more in detail with the District Attorney about his perception of why Officer MONCRIEF un-handcuffed the female prisoner. He claims he told Detective ALBRECHT about a vague memory he had. Sergeant RIDDLE was asked and answered:

RIDDLE: ...until after sitting down and going through all this stuff, and now...

SMITH: Okay.

RIDDLE: ...man, I remember some of these things.

SMITH: So, after having time to reflect on it (clearing throat) when Moncrief tells you about un-handcuffing [REDACTED], and you took it to mean to ma...to stretch or whatever, could he have really been telling you, I'm worried because I un-handcuffed her and took her to Colinas (unintelligible).

RIDDLE: Well, now...now it's obvious (laugh). Well, now it's obvious that that's what it was. And like I said...

SMITH: So, he didn't...he didn't phrase it in a way to make you think it was a Sally port, he didn't tell you it only occurred at the Sally port or when he got to Colinas.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

RIDDLE: From whatever, I mean, I didn't remember a lot of this when...when I...I don't remember if it was Mike or Leslie. I think it was Mike that I talked to. I didn't remember him saying anything about handcuffing, and after going through this stuff and looking at the texts and going back and thinking about the stuff that he went through when I sat down with Leslie which was later. I told her, I said, "You know what, I...I vaguely remember him saying something about un-handcuffing, and I, but I didn't remember the extent of how he said it happened." And I didn't read much into and didn't go in and ask him any questions, which obviously I should have now.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE continues to tell the District Attorney he knew Officer MONCRIEF had un-handcuffed the female prisoner. Sergeant RIDDLE was asked and answered:

SMITH: ...basically. Was he more upset about giving a 1016 his phone number or about un-handcuffing her?

RIDDLE: To...to me, it seemed like it was giving the phone number. 'Cause like I said, I didn't...I didn't carry a whole lot of weight. We talked about the whole phone number thing over and over again. On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations.

And,

IRVING: It was back on February 25th, and, um, specifically, um, Sergeant Holden had asked you about whether there had been any information from Moncrief to you regarding un-handcuffing...

RIDDLE: Right, and...and I told him then, I...I didn't remember going through that stuff with him. And then, like I said, after all this stuff had gone through and I'm kind of processing, I was like, you know what, I vaguely remember him saying something about un-handcuffing, but I didn't remember the details to it. I...I just don't remember how...how that came about. I know that looks really bad, but I just...I can't explain it any other way. I mean, and...and Mike had asked, you know, if I would have ever told him, you know, not to pass the information on, and there's no way I would have ever told him to, you know, go in and not be truthful about it.

IRVING: So, as you sit here today, you have...you remember Moncrief saying something about un-handcuffing?

RIDDLE: About un...something about un-handcuffing her, but I don't remember the extent of what it was or if he ever went into detail. I...I don't know.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 109

IRVING: Do you know when that was?

RIDDLE: Well, it would have been before he went down to see Holden.

IRVING: Okay.

RIDDLE: So, I mean within the...that 24 hours or 8 hours before that...during one of the conversations.

During his District Attorney interview on June 6, 2014, Sergeant RIDDLE explains to the District Attorney about how he did not recall the un-handcuffing when he was interviewed by Sergeant HOLDEN and explains how he thought about his conversation with Officer MONCRIEF and how he recalled Officer MONCRIEF telling him that he did un-handcuff the female prisoner. Sergeant RIDDLE was asked and answered:

IRVING: Got it. Um, so, is your sense, um, today that when before, I guess the date after he had received the calls, um, from [REDACTED] but before he goes down to meet, uh, and be interviewed at Sex Crimes, the communication that's taking place between yourself, um, and Moncrief, um, did you, uh, is that when you believed you received bits and pieces about handcuffing, but not the extent of what any of that was?

RIDDLE: And, I don't even remember which conversation it was, 'cause I had two or three of them with him. Um, and I...I don't remember where that even came up.

IRVING: But, you didn't remember it when you were talking to Holden?

RIDDLE: I...I...I didn't. In fact, when he mentioned it, I...I told him...I said, "I don't remember him saying anything about that." And as I go back through and start, you know, thinking about what he did say about different things, and I go back and start looking at the text... 'cause I...to be honest with you. I...it wasn't something I was really storing as significant information until, you know, I saw where this was going, which was unfortunately, probably a little late to start trying to document what was talked about.

IRVING: Because it wasn't laid out to you that it took place during a transportation of an arrestee?

RIDDLE: I...I assumed it was Sally port or at Colinas. It was kind of the...the way it was alluded to. And like I said, he...it wasn't even mentioned enough to really discuss it in detail of explaining why...just that, you know, I vaguely remember him saying something about un-hand...un-handcuffing her at some point. And that, um, he

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 110

knew he shouldn't have done that. Um, and I don't even remember what I said to him to be honest with you, about it.

IRVING: But...

RIDDLE: 'Cause we were...we were talking about the whole phone number thing. And that's what I was...was keying on was the whole thing about him giving his phone number out, and he was so worried about that, and I tried to explain it's not that big a deal. I didn't...I didn't even catch on to the whole handcuff thing until later on down the road.

On November 12, 2014, I interviewed Sergeant RIDDLE as part of an Internal Investigation. Part of the investigation was to ascertain why Sergeant RIDDLE'S statements in his Sex Crimes interview, saying he *did not* speak to Officer MONCRIEF, or had no memory of speaking to Officer MONCRIEF about un-handcuffing the female prisoner was in stark difference to his comments during his District Attorney interview stating he *did* talk with Officer MONCRIEF about him un-handcuffing the female prisoner.

During his Internal Affairs interview on November 12, 2014, Sergeant RIDDLE reversed his statement as given to the District Attorney, now stating he *did not* have any recollection of speaking to Officer MONCRIEF about the un-handcuffing of the female prisoner.

During his Internal Affairs interview on November 12, 2014, Sergeant RIDDLE repeatedly denied having any knowledge of Officer MONCRIEF un-handcuffing the female prisoner. Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: Did MONCRIEF tell you that he un-handcuff [REDACTED] ?

RIDDLE: And I - I don't remember any of that conversation. That was what I talk with um, HOLDEN about and he had asked. He said, "Did he mention anything about being un-handcuffed?" and I said I - I don't recall him saying anything about that, and I don't remember anything in the conversations or text messages or anything about that. If he did, I - I - I don't remember. I mean, I try and remember as much as I can. Ask my wife. I don't remember everything that happens and every conversation I have, so, uh, you know, I apologize. I - I - I don't remember having that conversation.

RIGHTHOUSE: You don't - you don't remember him saying anything about having un-handcuffed her?

RIDDLE: Un-handcuffed her? I - I don't, and I - and that's been the whole problem with this whole thing all along, and I've gotten hit up by uh, Sex Crimes

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.N. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 111

about it, and - and if he did, I didn't take any uh, I did- obviously I didn't focus any attention on it enough to even remember it. So I don't remember the - the depth of it. I mean, I'm not saying he didn't. I - I don't know. Maybe he did. I - I - I - but I don't remember having that conversation with him.

And,

RIGHTHOUSE: Okay. And then with the un-handcuffing, when you talk to HOLDEN you told him that you didn't recall any conversation...

RIDDLE: Correct.

RIGHTHOUSE: ...about her being un-handcuffed.

RIDDLE: Correct.

And,

RIGHTHOUSE: You told (Holden) that you didn't know anything about un-handcuffing.

RIDDLE: I - and I didn't.

And,

RIDDLE: I - I - I didn't remember having any kinda conversation with him about handcuffs.

And,

RIDDLE: No, I remember telling (Holden) that I - I didn't remember having the conversation because I didn't remember having a conversation about that. Um, had I did, I'd a told him.

And,

RIGHTHOUSE: ... 'cause in the DA's you say that you vaguely remember him talking about un-handcuffing the lady. Did you question (Moncrieff) about the un-handcuffing...

RIDDLE: Obviously not 'cause I don't remember even talking about it.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 112

RIGHTHOUSE: And why would you not question (Moncrief) if - if he's freaked out and acting crazy about just the telephone call and he happens to throw out, "Oh, and I un-handcuffed her at some point," why would you not question him about that?

RIDDLE: But I don't remember him even saying that, so I can't tell you how I would've reacted to it because I don't remember it. So as we're going through all this stuff, being interviewed over and over again about this stuff, I'm trying to go through and beat myself up trying to go what - what is it I missed? What did I not catch? Did he say anything and if he did, I don't remember the content of what it was, um...

During the Internal Affairs interview on November 12, 2014, I informed Sergeant RIDDLE that in his testimony to the District Attorney he said he *did* have a vague memory of Officer MONCRIEF telling him he un-handcuffed the female prisoner and that he spoke to the District Attorney about it on multiple occasions.

Sergeant RIDDLE continued to deny having any memory of the incident, saying:

RIGHTHOUSE: When you talk to the DA's interview, you told 'em that you did remember that he un-handcuffed her.

RIDDLE: No.

RIGHTHOUSE: You made several statements like, "On the - on the handcuffing I just vaguely remember him throwing that out there in one of the phone conversations."

RIDDLE: Well, no. Yeah, here - here...

RIGHTHOUSE: And - well, I wanted to finish, so let me...

RIDDLE: Sure - sure, go ahead.

RIGHTHOUSE: And then a couple time you said, "Like I'm talking about the un-handcuffing." You say, "Right - right." And then you say, "And I don't remember the exact (unintelligible) of how that went, and when I talk to uh, (Mike) and uh, (Leslie) they were asking about it, and I said, "Man, I - I don't specifically remember him going into that, and I don't - I don't even remember how we talked about it."

RIDDLE: Right.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M.J. Date of Report: January 6, 2015

RIGHTHOUSE: So you're discussing that.

RIDDLE: Right.

RIGHTHOUSE: But then you tell her - you tell the DA that uh, he did tell you that he un-handcuffed her and you were assuming that like at (unintelligible) she was un-handcuffed or something, or a little bit to stretch her arms and, you know, or something like that."

RIDDLE: Well, and here - here's the deal, is, you know, ob- obviously there was some kinda conversation that I didn't pick up on, or this - I wouldn't be sitting here talking to you right now, and when I told (Holden) I didn't remember anything, I didn't remember anything, and then I - and I'm getting hit up, you know, again by Sex Crimes (unintelligible) obviously there was something that went on as far as conversation, and I don't remember, and the fact that I didn't put any - any uh, I guess credibility to anything. I - I - I never assumed that there was anything wrong with what happened or I - I probably would've registered something in my mind that hey, I need to hit him up and - and deal with this. 'Cause if he had told me that, "Hey, you know I had her on un-handcuffed or these things happened," well, yeah, the red flags would go up. No red flags went up, but obviously I'm assuming that he obviously made some comment to me about that, or we wouldn't be sitting here going over this stuff.

And,

RIGHTHOUSE: ... 'cause in the DA's you say that you vaguely remember him talking about un-handcuffing the lady. Did you question (Moncrief) about the un-handcuffing...

RIDDLE: Obviously not 'cause I don't remember even talking about it.

And,

RIGHTHOUSE: After talking with the DA and telling them that you vaguely remember the un-handcuffing, did you contact Sex Crimes or (Holden) to tell them that you had...

RIDDLE: No.

RIGHTHOUSE: ...called something...

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 114

RIDDLE: No, because I - I - my conversation with - with the DA's Office, I didn't think was any different than what I had talked with (Holden) about.

RIGHTHOUSE: So you didn't remember telling (Holden)...

RIDDLE: Oh, no. I remember telling him I didn't - didn't remember anything. I'm tell- I'm tell- what I'm trying to tell you with this stuff is, I - I still - god, I don't know how to keep saying the same thing over and over again.

During the Internal Affairs interview on November 12, 2014, when Sergeant RIDDLE was asked if he *truly had* a memory of Officer MONCRIEF telling him he un-handcuffed the female prisoner when he told the District Attorney that *he did*, Sergeant RIDDLE conveyed *he in fact did not*. Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: ...there's two different places where you say, "I vaguely remember. I vaguely remember him saying something about un-handcuffing her at some point."

RIDDLE: I - I - and I don't...

RIGHTHOUSE: So when you - when you say to the DA, "I vaguely remember her uh-hand; him saying he un-handcuffed her at some point." Did you truly have a vague memory of him telling you, "I un-handcuffed her at some point?"

RIDDLE: No. Because I - like I said, I'm - I'm going through this over and over again, and obviously like you said, there was some - something that was done that I missed, and so I'm trying at this point - trying to figure out how was it brought up. How was it said, because I - I - I just - I don't know how to answer those anymore - any other direction.

Sergeant RIDDLE'S statement to the District Attorney, saying he *did recall* speaking with Officer MONCRIEF about him un-handcuffing the female prisoner is in conflict with his statement, not just in the Sex Crimes interview with Sergeant HOLDEN, but also during his Internal Affairs interview on November 12, 2014, in which Sergeant RIDDLE repeatedly states he has *no recollection* of speaking to Officer MONCRIEF about the un-handcuffing incident. Sergeant RIDDLE admits he "truly" had *no recollection* of the un-handcuffing, even though he repeatedly told the District Attorney that he *did recall* the un-handcuffing incident. Although given the opportunity, Sergeant RIDDLE never clarified why he told the District Attorney that he *did* have a recollection of the event if he factually *did not*. The decision was made to re-interview Sergeant RIDDLE.

On December 10, 2014, I re-interviewed Sergeant RIDDLE. During the interview, Sergeant RIDDLE stated he had no recollection of having any conversation with Officer MONCRIEF about him un-handcuffing the female prisoner. Sergeant RIDDLE was asked and answered:

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.J. Date of Report: January 6, 2015

RIGHTHOUSE: I now order you to answer the following questions. I'm also ordering you not to disclose anything we discuss during this interview or only thing regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination. I'm trying to clarify some statements that you made is the whole reason we have to re-interview you. So I'm gonna try to ask you just a yes or no question. Did you have a discussion with Officer Moncrief about him un-handcuffing his female prisoner?

RIDDLE: Not to my recollection.

And,

RIGHTHOUSE: So he (Officer MONCRIEF) called you three or four times before he went down to get interviewed by Sergeant HOLDEN. During those phone conversations, did you have a discussion with Officer Moncrief about him un-handcuffing the female prisoner?

RIDDLE: Not that I can recall.

RIGHTHOUSE: Do you have any recollection of having a discussion with Officer Moncrieff about him un-handcuffing the female prisoner?

RIDDLE: No.

RIGHTHOUSE: None whatsoever?

RIDDLE: I don't know how to answer it any – any different. I don't recall having any conversation with him (Officer MONCRIEF) about handcuffs.

And,

RIGHTHOUSE: So you're tell- -- you – uh, I guess the root of it is, you're tellin' – you told me multiple, multiple times that you did not have a conversation, and if you did, you remembered no conversation.

RIDDLE: That's true.

RIGHTHOUSE: Okay. And when I asked you just now, you told me the same thing.

RIDDLE: True.

And,

RIGHTHOUSE: Okay. And that's my question, is you don't remember having a conversation with Moncrief about the handcuffs?

RIDDLE: I don't remember him mentioning anything about handcuffs.

And,

RIGHTHOUSE: But this – this is the point I'm – I'm tryin' to make is that I know people threw stuff out at you, but when – when you talked to (Holden) and me, you said you don't have any recollection of handcuffing.

RIDDLE: I don't remember talkin' to him (Officer MONCRIEF) about handcuffs in any manner. That's what I'm tryin' to tell you.

And,

RIGHTHOUSE: ...but you didn't ask him (Officer MONCRIEF) a lot of questions.

RIDDLE: I don't remember talking to him (Officer MONCRIEF) about handcuffing. I don't remember talking to him about handcuffing.

RIGHTHOUSE: Okay. So that's...

RIDDLE: I don't remember talking to him (Officer MONCRIEF) about handcuffing.

And,

RIGHTHOUSE: 'Cause this is where it gets confusing is when you say stuff like this. You tell me it either didn't happen or you don't remember. You said the same thing to (Holden) roughly. You tell the DA, "I do remember him saying something about the un-handcuffing." "I do remember." So what do you remember?

RIDDLE: I don't remember anything.

And,

RIGHTHOUSE: So when you say in here (referring to the transcript of the District Attorney's interview) that you do remember him (Officer MONCRIEF) talking to you about it on the telephone, is that true?

RIDDLE: No, I don't remember any of that.

During the Internal Affairs interview on December 10, 2014, Sergeant RIDDLE was repeatedly given the opportunity to explain why his statement to the District Attorney is different than the statement given to Internal Affairs and to Sex Crimes. Sergeant RIDDLE argues that because Sergeant HOLDEN interviewed him, and he spoke with Detective ALBRECHT, he assumed a conversation about un-handcuffing with Officer MONCRIEF may have taken place, a conversation he has no recollection of, so he decided to tell the District Attorney he did recall the conversation, when in fact he did not. Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: And – and you told that to me when we talked. And when I asked you if when you talked to the DA, I said, “So – so when you say to the DA I vaguely remember her un-handcuffing him or her un-handcuffing – saying he un-handcuffed her at some point,” I asked, “Did you truly have a vague memory of him telling you ‘I un-handcuffed her at some point’?” And your answer was, “No.” But you told the DA you had a vague memory of un-handcuffing.

RIDDLE: Okay.

RIGHTHOUSE: So you're tell- -- you – uh, I guess the root of it is, you're tellin' – you told me multiple, multiple times that you did not have a conversation, and if you did, you remembered no conversation.

RIDDLE: That's true.

RIGHTHOUSE: Okay. And when I asked you just now, you told me the same thing.

RIDDLE: True.

RIGHTHOUSE: When you were interviewed by the DA, all these little tags I have on the DA's interview are places where you told the DA that you did talk to Moncrief about him un-handcuffing the female and that he said it was wrong.

RIDDLE: I don't know. No – no – no.

RIGHTHOUSE: So what I'm trying to find out is why they don't match up.

RIDDLE: Well, I don't know what to say. And – and I can't really go into any more detail, uh, than I've already gone, because I've already laid it out; and I read through your transcript, this one here.

RIGHTHOUSE: Right.

RIDDLE: And we've covered this over and over again. I understand what they were saying there, and then I think in this transcript here, we – we talked about it, as well, that I'd been hit up so many times about this, okay, I don't recall – I don't have any recollection of having a conversation with him about handcuffs, okay? The fact that I've been hit up five times...

And,

RIGHTHOUSE: Okay. And that's my question, is you don't remember havin' a conversation with Moncrief about the handcuffs?

RIDDLE: I don't remember him mentioning anything about handcuffs.

RIGHTHOUSE: Okay. But when you talked to the DA, you made multiple statements. I'll – I'm gonna – I wanna – I tried to read 'em last time, so I wanna read a couple of 'em. Because when you talked to the DA, I don't want you to get hung up on that word "vague," 'cause a vague memory when, when you – you told me that you – you told the DA you had a vague memory, but you told me when you told the DA you had a vague memory, you really didn't. So that's confusing to me. But you made statements to the DA like when you're talking about the handcuff thing, you made statements, you said, "I do remember him saying something about the un-handcuffing. I just don't remember the details as far as what it was. I don't remember how it happened or where it happened." So you're talking about details. And at one point...

RIDDLE: I understand that, but I'm tellin' you right now, you keep readin' those all you want. I don't remember him goin' over anything about handcuffing. I've been hit up several times about this over and over again, so I'm assuming that obviously there was some kind of conversation that I had with him. I don't remember what it was. So I – I can't really go into any more details other than that. I understand what they're saying in there, but...

And,

PINCKARD: So the question is, are these statements, all those red tags on the DA transcript, the conversation with the DA, those words that you chose, were you speculating?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  Date of Report: January 6, 2015

RIDDLE: Uh, absolutely. And I – I can do nothing but speculate that something happened or I wouldn't be sittin' here goin' over this.

And,

RIGHTHOUSE: You make – you make a statement like you, you say, "I vaguely..." – talkin' about Moncrief – "I vaguely remember him saying something about un-handcuffing her at some point and that he knew he shouldn't have done that. I don't even remember what I said to him, to be honest with you about it."

PINCKARD: Okay, well...

RIGHTHOUSE: So you're actually sayin' that you do remember him sayin' somethin' about un-handcuffing, and he even told you that he shouldn't have. Why would you say that to the DA?

RIDDLE: Well – well, because I'd been hit up with that over and over again.

During the Internal Affairs interview on December 10, 2014, Sergeant RIDDLE also alleged the discrepancies were because of a poor choice of words. Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: But if you assume it happened and you don't know it for a fact...

RIDDLE: Okay, poor choice of words. I fucked up...

PINCKARD: Yeah, but if (unintelligible).

RIDDLE: ...and didn't say it right. I don't know what else to tell you.

PINCKARD: If I deny it and then there's contrary evidence to that, then I'm liar, because I absolutely denied something. So (unintelligible).

RIDDLE: And that's exactly correct.

RIGHTHOUSE: Well, if you say – if you say I don't remember...

PINCKARD: Yeah, that would've been a better thing.

RIDDLE: Yeah, ab- absolutely.

During the Internal Affairs interview on December 10, 2014, when asked why he would say he *did recall* the un-handcuffing conversation if he *truly did not*, Sergeant RIDDLE was asked and answered:

RIGHTHOUSE: Okay. That I understand. But when you say you don't remember and in multiple, multiple places, there's things like this where you say, "On the handcuffing, I just vaguely remember him throwing that out there during one of the phone conversations." That's a direct statement. You're saying I remember him talking to me about un-handcuffing on the phone. Why would you say that?

RIDDLE: I don't know what to tell you.

On December 16, 2014, I interviewed DDA Annette IRVING and DAI Jonathan SMITH. Both DDA IRVING and DAI SMITH confirmed Sergeant RIDDLE, during his interview with the District Attorney's Office, led them to believe that he *did* speak with Officer MONCRIEF and he and Officer MONCRIEF *did* discuss the un-handcuffing of the female prisoner. Both DDA IRVING and DAI SMITH relied on the information provided to them by Sergeant RIDDLE during their criminal investigation.

During her interview, DDA IRVING said:

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?

IRVING: It would be because, again, we rely so heavily on peace officer witness statements. We had no reason to disbelieve Sergeant RIDDLE at the time of the interview and I think that him coming back, if I were to learn that the information that he provided in that interview was false, um, that's concerning for all kinds of reasons. One is the target of the investigation already is a law enforcement officer and I think that, you know, adding additional law enforcement witnesses who; where their testimony or statement then turns out to be false, I mean I can't imagine how difficult that would make the prosecution to begin with of that officer if other officers, you know, that he, that the target officer came into contact with were also posing problems for the case. I can't imagine what a challenge that would be.

RIGHTHOUSE: How could these false statements by Sergeant RIDDLE effect your overall investigation?

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u></u>	Date of Report:	<u>January 6, 2015</u>		

IRVING: You know just piggybacking on my last statement, my last response, I think in prosecutions of law enforcement officers it is so critical to have a clean investigation so to speak and reliable statements, reliable evidence, and I just, I think already it is such a challenge to go forward in this type of prosecutions that then to add another problematic witness, so to speak, in the mix. I just; it could make the burden insurmountable. I could be very, very problematic if we find out that a statement from a law enforcement officer is not in fact the truth and that we had relied upon that statement in our investigation and in our charging decision.

During his interview, DAI SMITH said:

RIGHTHOUSE: How was the information about Officer MONCRIEF having un-handcuffed the female prisoner, knowing it was wrong, pertinent to your investigation?

SMITH: Well there's a couple different ways that that was; that information was important. Credibility of the victim; which is important and in any case but particularly in a sex crimes like this was when it's the victims word against the suspect's word, specifically when the suspect is a police officer; that's huge. So any information that the victim might have talked about that, you know, we could, we could corroborate from another source, like un-handcuffing. For example if MONCRIEF, the suspect told RIDDLE that he did in fact un-handcuff her; that would be big information because that would be consistent or inconsistent if he said he absolutely did not un-handcuff her with what the victim told us. So for one it goes to the victim's credibility and the nature of the crimes that occurred, it; what the charges would be, um, you know the potential charges for MONCRIEF would be very different if the victim is restrained with handcuffs or not restrained. One of the big questions in a case like this is not just did some type of sex act occur but was it willing or was it coerced or was it done by force or fear and the handcuffs or lack thereof would certainly play a role in that, although there's still the argument that it's a marked police car, a uniformed officer in a position of authority but the handcuffing played a big role in that.

RIGHTHOUSE: During your investigation, Sergeant RIDDLE told you Officer MONCRIEF had told him he did un-handcuffed the female prisoner and that Officer MONCRIEF had told him he knew he should not have done so. If that information provided to you by Sergeant RIDDLE was false, and Sergeant RIDDLE admitted he truly had no knowledge of these events, would that be disconcerting to you?

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M.J.</u>	Date of Report:	<u>January 6, 2015</u>		

SMITH: If there was information that RIDDLE lied, yeah, that would bother me a great deal.

RIGHTHOUSE: Why?

SMITH: That affects the whole investigation really. I mean, we're trying to at the time when we're interview RIDDLE, we were weighing the facts and not just me and the DA, Annette IRVING, but all the way up to Bonnie DUMANIS, and we would have meetings frequently and talk about the alleged crime and how we were going to solve it and if; we would go upstairs and talk to other DA's who were helping make this decision and we're going up there with information, particularly from a police officer, and we think it's truthful and we're passing that information on, so it's disconcerting to me that you know, if RIDDLE or anyone else lies to me, and I go up and pass that information on and that information is false because it's going to affect not just the decision whether or not to charge a police officer with a crime, but it goes far beyond just our decision; future prosecution; credibility of the victim. It cuts to the credibility not just to, like I said earlier, not just to Sergeant RIDDLE but to the entire agency, as you know in the end when these things happen everybody kinds of gets looked at differently. But it also undermines, when an officer lies during an investigation, it undermines every future investigation that they do so it would bother me greatly if you told me that RIDDLE lied.

RIGHTHOUSE: You kind of hit on this already, but if there is anything you could add. How could these false statements by Sergeant RIDDLE effect your overall investigation?

SMITH: Well the main thing is that, like I said, we were weighing the facts of whether to issue or whether to not issue. If we had more information that corroborated what the victim said and didn't have to go just based on the victim's statement, it could have changed everything. If MONCRIEF made statements to RIDDLE or anyone else who we spoke to, because we spoke to a number of police officers, and RIDDLE or anyone else had information that he did in fact drive her to Colinas without her handcuffs on or did other, had other behaviors that he might of done, um, it could have been just enough information to change the whole course of the investigation and have us go ahead and decide to prosecute MONCRIEF for the crimes. It would give the victim more credibility. It would give the victim more support. It would give the entire case more momentum and I think it would, it would possibly lead to other investigative avenues depending on what RIDDLE said.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by: M.W. Date of Report: January 6, 2015

RIGHTHOUSE: So with that information from RIDDLE, he's corroborating a statement, if you had made the decision to prosecute MONCRIEF and then found out that the information that RIDDLE had given you was false, would that be an issue?

SMITH: That would have been horrible and it would have been a high profile, very high profile mistake, which this also still has the potential to be but it would be, if we had decided to go forward and then later learned that we're going forward with false information, that, it's certainly not my decision, but I could speculate that it would probably be a case that we would have to, have to drop, you know if we have police officers coming forward that are, that are being untruthful about the case, one way or the other in favor, in one or the other, it uh, it's very difficult to prosecute a case when witnesses lie but almost impossible when cops lie.

Sergeant RIDDLE, during the performance of his duties as a San Diego Police officer and as a police supervisor, was officially interviewed by the Office of the District Attorney in a criminal investigation on June 6, 2014, regarding another San Diego Police officer's misconduct. Sergeant RIDDLE, clearly and repeatedly, states that he *did in fact* have a conversation with Officer MONCRIEF about him un-handcuffing his female prisoner. Sergeant RIDDLE discusses how Officer MONCRIEF told him he knew it was wrong to un-handcuff the female prisoner. Sergeant RIDDLE discussed scenarios as to why he assumed Officer MONCRIEF had un-handcuffed the female prisoner. Sergeant RIDDLE discussed how he should have asked follow-up questions of Officer MONCRIEF when he told him of the un-handcuffing of the female prisoner. Sergeant RIDDLE, through his statements, led DDA IRVING and DAI SMITH to believe the event occurred, and thus DDA IRVING and DAI SMITH have been relying on the information during their criminal investigation and used the information in their decisions regarding the issuing of current and future charges against Officer MONCRIEF.

During his interview with Sex Crimes Detective Sergeant HOLDEN on February 25, 2014, his discussion with Sex Crimes Detective ALBRECHT on March 21, 2014, and during his Internal Affairs Interviews on November 12, 2014, and December 10, 2014, Sergeant RIDDLE repeatedly stated that *he had no knowledge or memory* of having any conversation with Officer MONCRIEF about him having un-handcuffed the female prisoner.

During both of his Internal Affairs interviews, Sergeant RIDDLE states when he talked to the District Attorney's Office and told them about how Officer MONCRIEF *had* told him about the un-handcuffing of the female prisoner, he in fact *had no recollection* of discussing any un-handcuffing of the female prisoner with Officer MONCRIEF. Sergeant RIDDLE conveyed, during both Internal Affairs interviews, that when he told the District Attorney details about his conversation with Officer MONCRIEF having un-handcuffing the female prisoner, he actually had no recollection of any such conversation.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

Sergeant RIDDLE, during official investigations, provided two opposite versions of an incident. Sergeant RIDDLE, on February 25, 2014, told Sex Crimes investigators he *does not* have any recollection of ever speaking to Officer MONCRIEF about him un-handcuffing the female prisoner. Sergeant RIDDLE, on June 6, 2014, repeatedly told the District Attorney's Office he *did* recall having a conversation with Officer MONCRIEF about the un-handcuffing of the female prisoner and supplied details of the conversation. Sergeant RIDDLE, during two Internal Affairs interviews, one on November 12, 2014, and one on December 10, 2014, repeatedly told Internal Affairs he *does not* have any recollection of ever speaking to Officer MONCREIF about him un-handcuffing the female prisoner.

Sergeant RIDDLE admitting he *does not* have any memory of discussing the un-handcuffing of the female prisoner with Officer MONCRIEF is evidence he was clearly untruthful when he told the District Attorney's Office that he *did* recall the conversation and relayed details of the conversation to them during his interview. Sergeant RIDDLE has been untruthful and the allegation is **SUSTAINED**.

4. CONDUCT - SUSTAINED

Sergeant Steven RIDDLE, ID 4311, displayed conduct unbecoming of a San Diego Police officer by being untruthful during an official investigation during the performance of his duties.

Department Policy 9.06, Unbecoming Conduct Policy, revised January 26, 2014, states:

Officers shall conduct themselves, both on and off duty, in such a manner as to reflect favorably on the Department. Officers shall not conduct themselves in any manner that could bring the Department into disrepute or reflects discredit upon the officer as a member of the Department, or impairs the operation and efficiency of the Department or officer.

Members shall not engage in any conduct that is unbecoming an employee of the Department, nor which impairs the operation of the Department.

Sergeant RIDDLE was untruthful during an official investigation. His actions have brought himself and the Department into disrepute. Sergeant RIDDLE'S actions placed a serious, ongoing investigation within the District Attorney's Office into jeopardy, and have called his past and future investigations into question.

During her interview, DDA IRVING said:

RIGHTHOUSE: One last question. Do you think it reflects negatively on the officer and the police department to have an officer give you false and misleading information in an official investigating?

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

IRVING: Yes.

RIGHTHOUSE: And why?

IRVING: Because we rely so heavily on police officer statements. As an officer of the court we make representations in what peace officers tell us for bail review; instances we're we have reliance for search warrants; in support of search warrants or arrest warrants where their word is absolutely relied upon to search a house, to arrest an individual, to lead to the prosecution and conviction of an individual, so those; the truthfulness of those statements are absolutely paramount and I think that if there are instances where a statement is found to be untrue that could be very damaging for the officer and for the agency which he works for.

During his interview, DAI SMITH said:

RIGHTHOUSE: And one last question for you, if an officer gives you false or even just misleading information in an investigation that you're conducting, how does that reflect on the officer and our Department as a whole?


SMITH: I touched on that a little bit too. I think anytime an officer lies to me during an investigation, it's one thing if guys are just smoking and joking and somebody gives some bad info about something, you know, about something that is innocuous. But false information during a formal interview that's recorded where were looking at the prosecution of anyone, let alone something as serious as an officer, that's absolutely blows any credibility of that officer would ever have with me and I don't speak for the DA's office but I venture to say the entire office. I mean that's ah, that's a Brady violation and it's an issue that's, um, really, really, career ending for officers when they lie during an investigation, particularly to the DA's office and it does reflect, you know, poorly on the Department where that officer is, in this case, the San Diego Police Department. It would reflect poorly on the San Diego Police Department; however I think that would depend on how the police department handles that type of information. But it, it kind of puts everybody, not even just that department, but everybody in law enforcement in a bad spot and it makes it difficult for any officer to go up and testify based solely on their statements without records or videos or whatever. In this case it was a recorded statement. If that statement is proven false compared to other recorded statements, you know, I, that's a big problem.

Reporting Officer:	<u>Bret A. Righthouse, Sergeant</u>	ID:	<u>4173</u>	Division	<u>Internal Affairs</u>
Approved by:	<u>M. J.</u>	Date of Report:	<u>January 6, 2015</u>		

RIGHTHOUSE: Would it make any difference if Sergeant RIDDLE told you this information because he's trying to help you out and he thought that that's what you wanted to hear, or is that still just a lie?

SMITH: I don't understand what, if he said that, I don't understand what he means by what I wanted to hear. Because what I wanted to hear was the truth and if I didn't get that he certainly didn't tell me what I wanted to hear. If he, if he later told someone that he gave me this information and this information is false because he thought that's what I wanted to hear, it makes me wonder about any case he ever did. I mean is he going to get on the stand and say what he wants the DA to hear. Is he going to testify to how one side or the other, his perception of how one side or the other wants him to say? I mean that goes right to his integrity and his credibility and you know I have no idea why he would say something like that when what I only wanted was the truth.

Sergeant RIDDLE'S actions are unbecoming of an employee of the Department. His actions have brought himself and the Department into disrepute. His actions have impaired the operation and efficiency of the Department by damaging a criminal investigation and making his testimony unreliable. The allegation is **SUSTAINED**.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by:  Date of Report: January 6, 2015

DOCUMENTATION:

The results of this investigation are based on the following items:

1. A Human Resources Employee Data sheet for Sergeant RIDDLE.
2. An email from Detective NUGENT to Lieutenant KAYE.
3. An email from DDA IRVING to Detective NUGENT.
4. A compact disk containing the audio/video recording of Officer MONCRIEF'S sex crimes interview.
5. A compact disk containing copies of text messages sent between Officer MONCRIEF and Sergeant RIDDLE.
6. Printed copies of text messages sent between Officer MONCRIEF and Sergeant RIDDLE.
7. A compact disk containing the audio recording of a telephone interview by Sergeant HOLDEN of Sergeant RIDDLE.
8. A compact disk containing the audio recording of a voice mail left by Officer MONCRIEF on Sergeant RIDDLE'S telephone.
9. A printed copy of Sergeant RIDDLE'S interview with the District Attorney.
10. A compact disk containing a copy of Sergeant RIDDLE'S interview with the District Attorney.
11. A printed copy of Sergeant RIDDLE'S interview with Sex Crimes Detective Sergeant HOLDEN.
12. A compact disk containing a copy of Sergeant RIDDLE'S interview with Sex Crimes Detective Sergeant HOLDEN.
13. A compact disk containing the audio recording of Sergeant RIDDLE'S Internal Affairs interview.
14. A printed copy of Sergeant RIDDLE'S interview from November 12, 2014.
15. A compact disk containing a copy of Sergeant RIDDLE'S interview from November 12, 2014.
16. A compact disk containing the audio recording of DDA IRVING'S interview.

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs
Approved by: M. J. Date of Report: January 6, 2015

Investigator's Report

Complaint: Internal Investigation I.A. #2014-185

Page 128

17. A compact disk containing the audio recording of DAI SMITH'S interview.

**CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF
POLICE AND/OR CITY ATTORNEY.**

Reporting Officer: Bret A. Righthouse, Sergeant ID: 4173 Division Internal Affairs

Approved by:  #5098 Date of Report: January 6, 2015

1-13-15

Mc Manus, Terrence

From: Kaye, Charles
Sent: Tuesday, June 10, 2014 2:47 PM
To: Mc Manus, Terrence
Subject: Fwd: Moncrief Update

Chief please read

Sent from Chuck Kaye's iPhone

Begin forwarded message:

From: "Nugent, E. Garrick" [REDACTED]
Date: June 10, 2014 at 11:32:17 AM PDT
To: "Kaye, Charles" <[REDACTED]>, "Holden, Mike" [REDACTED], "Dobbs, Matthew" <[REDACTED]>
Subject: Moncrief Update

Gentlemen,

I just spoke to Annette and she informed me that the interview with Riddle was a mixed bag. She felt he was beating himself up because he missed the signs regarding Moncrief. On the other hand, Annette felt he was deceptive when questioned about other issues regarding Moncrief and his interaction with the sergeant and officers on his squad. During the interview Riddle revealed that he received a text from Moncrief after his interview. Annette described it as being well crafted, as though perhaps he had spoke to his attorney before sending the text. When asked why he never told anyone about the text, Riddle said he thought it wasn't important and that the issue was dead in the water. Annette and JC recorded the text.

Annette is having a one on one meeting with the victim tomorrow and after that will be evaluating the potential of prosecution. According to Annette, there are no other issues that need to be address by us at this time.

Garrick Nugent | Detective
San Diego Police Department
Sex Crimes Unit
p. (619) 531-2781
e. [REDACTED]

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

Mc Manus, Terrence

From: Kaye, Charles
Sent: Tuesday, June 10, 2014 3:41 PM
To: Mc Manus, Terrence
Subject: Fwd: Moncrief's new text just provided by Riddle

Sent from Chuck Kaye's <[REDACTED]>

Date: June 10, 2014 at 3:

From: Irving, Annette [REDACTED]
Sent: Tuesday, June 10, 2014 3:31 PM
To: Albrecht, Leslie; Nugent, E. Garrick
Subject: Moncrief's new text just provided by Riddle

APRIL 2014

"Hey Sarge. Cesar told me he talked to you. I was reluctant to talk to you because you really became almost a father figure to me. I wanted to be like you more than anything. I know I'm not supposed to talk about this stuff and I'm sure if this does go to court (even though Rick keeps telling me that it's going to get dropped) you will have to testify but I want you to know the truth. I'm sorry for bringing you in on all this shit. I couldn't bring myself to tell you about her master bating in the back seat because I was embarrassed that my actions allowed that to happen and that she felt like I was a weak enough cop that she could get away with it. But once I cuffed her around the corner from Colinas she was fully clothed and I never touched her in any way. I thought at the time she was trying to set me up but if I reported it I would also have to report that I left her unhandcuffed. I was paranoid about it for 3 months. I figured the next time she was arrested she would tell the officer that the cop who arrested her last time left her uncuffed and she was able to masterbate I'm the back seat. She was the original person who gave me [REDACTED] nickname and a bunch of other stuff. I just thought if I showed her the courtesy of riding to Santee unhandcuffed she would keep giving me info. I was so consumed with getting good gang info. I'm sorry that I let everyone down but most of all I let you down and now I will never get to be a detective anyway."

Annette H. Irving

Deputy District Attorney

Special Operations Division

(619) 531-3678 (tel)

(619) 685-6689 (fax)

2014-185

Employee Main:

ID #: 4311 Prev ID #:

City ID #:

POST ID #:

Employee Status

Name: RIDDLE, STEVEN L

PCN #:

ACTIVE

Command/Unit: Southern Patrol 742

Rank: Sergeant

Budgeted Pos.: Police Detective

Org. Unit: 60001488



Employee Detail:

[Return To Search](#)

General Information | Emergency Contacts | Roster Information | Evaluations | Name History | Languages | Awards | Supervisors | Addresses/Phone Numbers

GENERAL

Emp Type: Permanent - FullTime

MAP Volunteer: ☐

Email:

LAN

LAIR: SAR

FLIR:

ACADEMY

Academy Class: 115

Academy Comments:

CDL

CDL Number:

CDL Expiration:

CDL Type:

Expires

BADGE

Breast Badge: 1451

Flat Badge: None

MILITARY

Current Military Status:

Branch:

LAN ID: [briighthouse](#) Access Level: [CHIEF/CO](#) Access Granted: [CHIEF/CO](#) Access Status: [LOADING...](#)

[Start](#) [Inbox - Microsoft Outlook](#) [Digital Voice Editor](#) [Human Resources And O...](#) [Human Resources And O...](#) [Human Resources At...](#)

8/21/2014 9:33 AM

9:33 AM

INTERVIEW WITH SGT. STEVEN RIDDLE

Q=Sgt. Bret A. Righthouse

Q1=Atty. Rick Pinckard

Q2=Sgt. Dan Sayasane

A=Sgt. Steven Riddle

Q: This is Sergeant Bret A. Righthouse, ID 4173. It's November 12, 2014, about 2207 hours. I'm in the Northeastern Division conference room with Sergeant Steven Riddle, ID 4311. Can you state your name please?

A: Yeah, Steve Riddle.

Q: And with you is your employee representative uh, Rick Pinckard. Can you state your name please?

Q1: Rick Pinckard.

Q: And with me is also Internal Affairs Sergeant Dan Sayasane. Can you state your name please?

Q2: Dan Sayasane, ID 5680.

Q: At this time I'm gonna question you about procedures and conduct. My questions during this interview concern administrative matters relating to the official business of the police department. I am not questioning you for the purpose of a criminal prosecution. In a criminal investigation you have the right to remain silent and not incriminate yourself. However, since this is an administrative, not a criminal investigation a failure to answer my question could be insubordination and result in discipline up to and including termination. Any statement you make cannot be used against you in any criminal proceedings. In our Penal Code 832.7 the grand jury, Attorney General's Office or District Attorney's Office may have a right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used against you by any agency in any criminal proceeding. You're required to answer my questions fully and truthfully. This requirement is set forth in Sections 9.4 and 9.29 of the San Diego Police Department Policy Manual: 9.4 (unintelligible) lawful orders policy. Members shall promptly obey any lawful orders of superiors. This includes orders relayed from the

46 superior by someone of the same or lesser rank. 9.29 Truthfulness Policy.
47 Members shall be truthful in all matters relating to their duties. Upon the
48 order of a superior or any officers appointed by the Chief of Police to conduct
49 internal investigations and in accordance with constitutional and contractual
50 guarantees including the right to representation. Members shall truthfully
51 answer all questions specifically directed and narrowly related to the scope of
52 employment and operations of the department. Refusal to answer my
53 questions is in itself a violation of department policy and will subject you to
54 disciplinary penalties. Do you understand what I've just explained to you?
55

56 A: Yes, sir.

57
58 Q: Is there anything that prevents or may prevent you from answering my
59 questions fully and truthfully?
60

61 A: No.

62
63 Q: Do you have any questions concerning what I've just explained to you?
64

65 A: No.

66
67 Q: And I order you to answer the following questions. I'm also ordering you not
68 to disclose anything we discuss during this interview or anything regarding
69 this investigation with anyone other than your employee representative or
70 legal counsel. Doing so would be insubordination and by itself could subject
71 you to disciplinary action up to and including termination. Now what's your
72 height and weight?
73

74 A: Five-eleven, 180.

75
76 Q: And that's just a box on our form.

77
78 A: Little unusual but that's all right.
79

80 Q2: Often times these types of investigations require somebody to try to identify
81 the right person.
82

83 A: Yeah.

84
85 Q2: I don't think that's the issue here.
86

87 Q: No. And how do you know - know uh, (Donald Moncreff).
88

89 A: I met him when he came to my squad um, when I was a new sergeant down at
90 Southern Division, um, and actually, I had - either got a call or an e-mail or

91 something from him asking to go, and then got some information from uh, one
92 of the other detectives in a gang unit that he had worked up there and spent
93 some time doing some graffiti stuff and was interested in working with me
94 'cause I came from the gang u- gang unit when I went down to Southern
95 Division. So, uh, I had a - had an opening and, you know, pick him up on the
96 squad.

97
98 Q: Okay, so he work for you.

99
100 A: Yes, sir.

101
102 Q: Is he a personal friend with you also or just work relation?

103
104 A: No, just - not - not any different than anybody else that I work with. I mean, I
105 don't hangout with all the people that I work with other than at - at work.
106 Um, so, no, just - I mean, an employee. I mean, he basically work for me.

107
108 Q: Okay.

109
110 A: I mean, I consider him friends like I do the other people that I work with, but,
111 yeah.

112
113 Q: Okay. And you're aware that the sex crimes investigation involved (Donald
114 Moncreff), is that correct?

115
116 A: Yes.

117
118 Q: And were you aware that the investigation involves a person named [REDACTED]
119 [REDACTED]?

120
121 A: Yeah, I - I believe that was a name. Yeah.

122
123 Q: And you're aware that Officer (Moncreff) did arrest - had arrested [REDACTED]?

124
125 A: Well, I know he arrested a female. I just don't recall the exact name. I think
126 that sounds familiar. I remember the - some of the monikers and stuff more
127 than I do some of the other - maybe some of the people, but um, yeah, I - I
128 know he had arrested somebody um, and that was what everything was
129 surrounding that's...

130
131 Q: (Unintelligible).

132
133 A: ...I mean, I don't know a whole lotta the details to be honest with you
134 (unintelligible), so.

135

136 Q: Right. And you're aware that Officer (Moncreff) received a telephone call
137 about a year after he contacted [REDACTED]?
138
139 A: Yes, that's what I was told.
140
141 Q: (Unintelligible).
142
143 A: Yeah.
144
145 Q: When did Officer (Moncreff) and you first talk about the circumstances of his
146 contact with [REDACTED]?
147
148 A: Well, I'll - I'll do the best I can to give you the exact dates, but I mean, it's
149 been a little while, and I know I've talked to several people. So I mean, some
150 of those dates might be a little bit clear in some of those interviews that I
151 gave, but - and I don't remember the specific date, but he called or e-mailed
152 me, or sorry, texted me, and we spoke um, very - it was very short. He was
153 kinda - kinda I guess worked up, which wasn't abnormal for him. I mean, he
154 was wound a little tight, uh, but, you know, he was a good officer and did a
155 great job out in the field, but seem to be a little excitable about things and
156 worried a lot about stuff. Sometimes when he called and seemed a little uh,
157 worked up like he did when he called. I didn't take a whole lot into it. And
158 so when he called the first time and spoke with me um, it was, "Hey, I just uh
159 - uh, got a message from uh, somebody to call - to call this female back, and I
160 think I may have messed up." Like, "Okay, what - what do you mean may of
161 messed up?" And I don't know how far - you want me just free talk and go
162 through this and explain it or - I mean, I - I don't care. Uh...
163
164 Q: Well, uh...
165
166 A: I mean I'm open. I mean, I - I...
167
168 Q: It - was it about February 18th...
169
170 A: That - that'd be...
171
172 Q: ...(unintelligible).
173
174 A: ...yeah, it was February, yeah.
175
176 Q: Okay. And then the circumstances of it was, that somebody that he had
177 contacted and we contacted him.
178
179 A: Correct.
180

181 Q: And he was calling you...
182
183 A: 'Cause...
184
185 Q: ...to tell you that that happened?
186
187 A: He did.
188
189 Q: (Unintelligible).
190
191 A: He said, "I think I messed up." I mean, I can explain what happened. I don't
192 know if you want me to explain it or you want question/answer, how you
193 wanna do it. I don't sit and do this all the time.
194
195 Q2: I - I think whatever's gonna facilitate your ability to answer his question,
196 whatever you're most comfortable with as long as it's uh, you know, response
197 to his question then we can...
198
199 A: Okay.
200
201 Q2: ...we can try it that way and see if that cuts through the fat a little.
202
203 A: All right, no, I'm - I'm fine with that. Uh, when he contact me he said that uh,
204 I - I - been - "Somebody tried to reach out to me. Somebody I'd arrested
205 before," um, and tryin- he gave me like part of the name. I don't even know
206 that he gave me the whole name um, and that uh, "I think I may have messed
207 up 'cause I gave her my cell phone number," and I'm like, "All right, you
208 know, explain 'cause I - that doesn't make any sense." He goes, "Well, I
209 kinda talk to her, and I, you know, kinda was trying to get somebody, you
210 know, to like I do anybody that's willing to help out down the road," you
211 know trying to look for that next source (unintelligible) CI, which I did my
212 whole career. Most of the good, you know, crooks that I arrested are the - the
213 good ones were the ones I ended up getting to be CI's down the road later on.
214 So I - I pretty much push that with my officers. "Hey, look. You know what?
215 Anybody that's open and willing to talk to you, you know, you wanna throw
216 'em a number to call you and we can get 'em hooked up to get 'em to talk to
217 somebody. We'll get 'em plugged in with the detectives and, you know,
218 we're obviously looking for the next person to point us in the right direction
219 and start making some cases." So it seem like that's what was going on, and
220 he was all freaked out about that. I said, "Now, I - I - I don't - I don't get this
221 'cause this is not a big deal." Um, I said, "You know if she calls back um, just
222 tell her, "Hey, look. You know uh," get a good number where you can reach
223 her and we'll set up a time to meet with her." I'll get uh, one of the detectives
224 at Southern Division I used to work with (Naganu) who I trusted. I knew
225 would know how to handle a CI, 'cause not too many of the detectives in the

226 division did. I said, "We'll get 'em hooked up with - with uh, that detective
227 and, you know, somebody else, and - and uh, we'll get it - get it passed off
228 and, you know, that - that's a good thing." And uh, his concern was, "Well, I
229 gave her my personal number." I said, "I - I give my personal number out to
230 all kinds of people. I'm not that worried about it." So I said, "That's not a big
231 deal. Is there something else that's going on?" "No, that's - that's basically
232 it." I said, "Dude, well, just relax, it's not a big deal. You know we'll - if the
233 person calls back then - then let me know" and that was pretty much the gist
234 of the - the first - probably first couple of conversations that I had with him,
235 um, and that was...

236
237 Q2: So he seemed to be focusing on something that didn't really seem that...

238
239 A: Well, and I - I did- I didn't - I didn't under-

240
241 Q2: ...important to you.

242
243 A: Oh, no, not at all - not at all. I mean uh, in fact I wou- I was kinda gearing
244 towards, you know, that was actually a good thing, you know, that he was
245 getting this person to call back and give information and stuff. He did ask me,
246 he said, "Hey, you know I was trying to figure out who - who - what the girl's
247 name was, and who it was," um, and I didn't - I didn't - I didn't remember. I
248 mean, I wasn't working - wasn't working for me at the time that the arrest
249 happen, um, and uh, so I ask, "Well, can you, you know, run and see what her
250 name was," uh, and information and stuff, and I said, "Well, yeah. It's not a
251 big deal," 'cause my goal was we're gonna pass it on to the detective and -
252 and find out what was up, and I remember pulling it up and running it, and I
253 remember him sending me texts um, or leave me messages, "Did you pull up
254 any information? Did you find out yet?" and I text him back, "Look dude,
255 I've been busy. It's been a busy night. I'll get to it, all right? Don't worry
256 about it. Just relax," and uh, I don't know that I even got back with him with
257 any of that information. The next thing I got was, it was either a voicemail or
258 a text from him in the middle of the night. I ended up working really late and
259 went home and crashed, and he called, and I didn't even answer the phone
260 'cause I was trying to get some sleep before I had to go back to work, and
261 when I got the phone message he was all panicked um, that he uh, and I don't
262 remember exactly what he said, and - and I still have everything, and I gave
263 everything to uh, (Leslie)? Is it (Leslie) in Sex Crimes?

264
265 Q: Sex Crimes, yeah.

266
267 A: Yeah. To (Leslie) and um, I know when I talk to the DA's Office I had
268 another text that he had sent me down the road 'cause after all this happen
269 where he went downtown, I didn't talk to him. I didn't deal with anymore
270 um, and I (unintelligible)...

271

272 Q: Before he went for his Sex Crimes interview...

273

274 A: Yeah, (unintelligible)...

275

276 Q: ...how many - how many times...

277

278 A: ...yeah, (unintelligible)...

279

280 Q: ...did he call you and talk with you (unintelligible)?

281

282 A: Probably two or three times. Um, probably three and the third one probably
283 when I - when I spo- well, that I actually had a conversation where there were
284 messages and stuff that were left, uh, and when I spoke with him after he
285 panicked he says, "I think I really messed up. I really messed up," and that's
286 when I got (unintelligible) killing me, man. So I end up calling him back. He
287 goes, "I think I really messed up now." Was like, "(Don), what the hell's
288 going on?" Um, I kick myself because I - hindsight, I wish I'd have picked up
289 on some of the signs, but he was such a spaz, I didn't even - didn't even think
290 that, you know, he was - anything other than being normal there was
291 something more to it. So um, when he called, he said, "Hey, you know what?
292 I - I was uh, kinda freaking out about some stuff. I got a call from," how did
293 he refer it - from a detective, I believe it was, um, and he goes - and - and the
294 message that I got - I had it on my - on my phone and I was trying to save and
295 accidentally erased it. I'm like, "Dude, slow down. Slow down. What - back
296 up - back up. What's going" he goes, "Well, I kinda freaked out and a
297 panicked and I called um, Chief (Vasquez) 'cause I was tight with him." Like
298 what? Uh, so he said, "Yeah, I called and talked to him," and - and he uh, um,
299 kinda told him what was going on. "I was - I was worked up about this." I
300 go, "Dude, you're killing me." I said, "Look, if there's something more to
301 this," I said, "Dude, I mean, you screwed up. You just jump like two chains
302 of," you know, of uh, you know...

303

304 Q: Command?

305

306 A: Command, yeah. And uh, and let me back up, but - 'cause prior to that when
307 he first called he didn't work for me at the time. So he was working for
308 (Terrance Sharlo). He had just gone over to work for (Terrance) and so called
309 and gave (Terrance) some heads up. Said, "Hey, you know, he just - he called
310 about this. I don't know what's going on. He's a little worked up, but just let
311 you. I mean he's working for you. I think I've dealt with it, and kinda took
312 care of it." Then I get the next call from him about that um, and uh, he uh,
313 saying that he's worked up and concerned about it, and he's a - a message
314 (unintelligible). I - I (unintelligible) I may have talked to him af- after that
315 when he was getting en route - getting en route to go downtown because I

316 know I called and talked to (Sharlo) and said, "Hey, um, he called and talked
317 to (Vasquez) and totally jumped both of us and lieutenant and captain." I said,
318 "You know we gotta get to them and let 'em know what's going on." I said,
319 "If it works for you, do you want me to give lieutenant a call or do you wanna
320 do it, or what do you wanna do?" And he goes, "No, I'll handle it. I'm on my
321 way in." I said, "Okay, I'm changing. I'm on my way in too, um, and we'll
322 deal with it," and then I talk with him again on the phone, I believe, and uh, he
323 said, "I just got - I got a message I'm supposed to - they want me to go down
324 and talk to (Holden), and uh, I said, "Okay," (unintelligible) - I mean that's - I
325 said - I said - I said, "Mike's a good guy." I said, "You know you - you need
326 to go down talk," "Well, I'm kinda freaking out and I'm worried about what
327 they think," or something along that line. I said, "Look." I said, "What - is
328 there - is there more than going on you gave this girl your phone number," I
329 said, "'Cause that's not a big deal." I said, "The big deal now is you jump the
330 chain of command. People are gonna be pissed," and that's really what I was
331 gearing is what the big issue was um, and I didn't get much of a response back
332 from him other than he was saying something, "Well, I just don't wanna see
333 my name on the news," or something like that and, you know, "Having my
334 son see that kinda stuff," and at that point I was like, "Dude, what - what the
335 hell's going on?" I said, "Is there more than what were talked about?" "No -
336 no, that's - that's all it is." I said, "Well, dude, you need to go down and talk
337 to 'em. You need to go down and deal with 'em," and - and so (Mike) - trust
338 me, I said, "I've known (Mike) a long time. He's - he's a good guy. I mean
339 he's pretty straight up about things. Just go down," I said, "Where - where
340 you at right now?" 'cause I knew he was - he was working. He was by
341 himself. I said, "Where you at? I'll - I'll - I'm on my way in. I'll come meet
342 you at uh, we'll go down - I'll go down there with you, and you can go down
343 and talk to him." My goal was to try and get him - get him down there, and
344 uh, he goes, "Well, I'm just - I'm getting off on Pershing right now." I said,
345 "Okay, good." I said, "You need to call right now - call (Holden) and tell him
346 you're getting off the freeway and you're on your way down there." So um,
347 and I'd actually called and talked to (Mike), too, in between one of the uh, the
348 - the second time that he called, and uh, said, "Hey, you know what? He's
349 driving around out there." I said, "I don't know what's going on. I'm trying
350 to get him to come down there." I said, "Do you want me to go meet him?
351 Do you want me to get down there? What - what do you want me to do?"
352 And - and (Mike) said uh, "No, he just - he just needs to come down here. It's
353 not a big deal." I'm like, "Okay." I said, "Well, let me, you know, try and get
354 him back down there." That - then I had the conversation with him getting off
355 on Pershing. I said, "Well, just call him and let him know that you're on your
356 way there," and then I indirectly instead of going trying to find where he was,
357 I went to Southern Division. When I got down there I was gonna hook up
358 with (Sharlo) and uh, (McMannis), and (Anastasia Smith) to make sure they
359 were 10 4 what's going on. So, I get there run into (Sharlo). The lieutenant
360 and captain are gone and uh, then I - next message I get was secure his

361 personal vehicle in the parking lot, and that's when like the light went on
362 really bright which maybe shoulda gone bright earlier, but I was like, aw, shit,
363 you know, that there was, you know, something more that was going on to it.
364 So uh, that's kinda the way things went. I mean there were some text
365 messages you had back and forth after finding out about him - after he finally
366 got down there I started getting calls from his wife um, because I had met her
367 actually at the hospital when he had had a - I would say a panic attack or
368 something. I don't know. Thought he had a heart attack um, a few months
369 earlier and I take - took him down to the hospital and hung out with him there
370 the whole time and his wife came in. That's the first time I kinda met her.
371 Um, then I met her one other time when the whole squad got together for
372 dinner, like as a squad kinda thing. Uh, but then she - she started calling
373 saying, you know, "I'm trying to get a hold of (Don). He's not answering."
374 "Well, I don't - I - I don't know where he's at. I haven't seen him. If I see
375 him I'll have him call you." I knew where he was but I hadn't seen him, and I
376 said so, you know, I - I don't know what's going on. Then she sends me a
377 text, you know, "I'm worried. He's freaking out. I don't know what's going
378 on." I said, "I don't know what's going on either. As soon as I see him I'll
379 have him give you a call," and that was kinda the last conversation I had with
380 her. There's a text and a phone call, and then I just didn't answer anymore.
381 Uh, and uh, like I said, then - then I heard, you know, go secure his car for uh,
382 you know, at the - put somebody out on it so that it doesn't get uh, get messed
383 up or anything. I mean that's - that's about it. Then I get - a period of time
384 goes by. I go away to the - the sergeant school for the two weeks and I get a
385 call from (Holden) to talk to (Holden), and I talk to him on the phone for a
386 little bit then I end up talking to (Leslie) for a little bit. Then I end up talking
387 to uh, DA's Office. They came and interview me about all the stuff that was
388 going on, and - and here with you, so.

389
390 Q: All right.

391
392 A: Hopefully that short cuts stuff a little bit, whatever other questions you had.

393
394 Q: You - you talk to (Moncreff) multiple times on the phone. He left you a
395 couple messages.

396
397 A: Yes.

398
399 Q: And some text messages. Did you ever meet him in person?

400
401 A: No.

402
403 Q: To discuss any of this?

404
405 A: No.

406
407 Q: It was all on the phone...
408
409 A: (Unintelligible).
410
411 Q: ...text messages.
412
413 A: Yeah.
414
415 Q: Okay, and his demeanor you're basically saying he was freaked out, kind of a
416 spaz, worried.
417
418 A: But - yeah, he was but it wasn't...
419
420 Q: Calling the Chief's office.
421
422 A: That freaked me out. I'll be honest with you. When that...
423
424 Q: But he was concerned about something.
425
426 A: ...that - well that - I - I - I was fine before. That kinda set me off and I was
427 trying to figure out what the hell was going on, uh, 'cause when he did that,
428 and I - sometimes I didn't always understand the direction he went on things
429 and why he got so worked up about stuff and - and until this time there was
430 never anything to be worried about, um, I mean, 'cause I had him - kinda got
431 him trained on doing search warrants and I mean, so any time I got him out to
432 do an investigation sometimes he was unsure about it. He was like, "Did I
433 mess up on it?" "Dude, relax. Just relax."
434
435 Q2: Very - very high strung.
436
437 A: A little bit, yeah. So I - that - that wasn't out of the ordinary for him. Out of
438 the ordinary was when that call was thrown into the Chief. That blew me
439 away and freak me out. I was like oh crap, 'cause now I was like, you know
440 what? I - I don't know what's going on. Now it's gone way above and I
441 haven't - I personally haven't talked to the lieutenant. I personally haven't
442 talked to the captain, and I talk to (Terrance Sharlo), who is a sergeant, who I
443 know was getting ready to pass that information on. We were getting ready to
444 meet with him, but it - it totally went past that. So I'm like, crap. You know
445 so that - I was - I was worried about that.
446
447 Q: What all the (Moncreff) tell you about the contact he had with this (Flores)?
448
449 A: Uh, all I knew - all I remember him telling me is...
450

451 Q: He said he got the phone call from her...

452
453 A: The contact...

454
455 Q: ...and that's why he was worried. What did he tell you about the contact
456 (unintelligible)?
457

458 A: I don't even - to be honest with you, I don't even - I don't remember whether
459 he had - he actually spoke with her on the phone or whether it was a voicemail
460 or a message. I - I - I don't even remember to be honest with you. I - I - I - I
461 just...

462
463 Q: But what did he...

464
465 A: ...I know he - he got - he receive some kinda information about calling her
466 back, and then one of the other times he said he received a call from a
467 detective um, regarding her, and that's - that's the only time I - I don't ever
468 remember him telling me, "I had this conversation with her, and this is what
469 she said."

470
471 Q: What - what did he tell you about the initial contact?

472
473 A: Oh, the arrest?

474
475 Q: Yeah.

476
477 A: I - I don't remember him going into details about - about arresting her. I
478 mean, I - and I don't even know that he told me. I knew for a 10 - I think it
479 was for a 10 8 51, but I think that was when I pulled up the information, saw
480 what the arrest was for, that I - that I caught that. I don't remember. He - he
481 may have told me that. I - I don't remember, but I remember it was 10 8 51.
482 Um, I - I don't remember going into a whole lotta detail about her because I
483 wasn't that concerned about - about any of this stuff at - at that time because it
484 was, all it was, was I hooked up somebody - I kinda, you know, talk with her
485 on the way down. I think she's gonna be one - 'cause she was a gangster and
486 just gonna have a lotta information that might be helpful down the road, which
487 is what I was kinda mentoring and trying to get him good at doing, and he was
488 doing a great job at - at the, you know, the gang and graffiti and all that kinda
489 stuff down there, and uh, I mean, I - I - all I - all - all I assumed and talk with
490 him about really the direction was, "Hey, it's not a big deal. That's good.
491 You got somebody calling you back and, you know, hopefully we'll get her
492 hooked up with somebody and get her, you know, throwing some information
493 to cancel some stuff, and I - I - I don't remember getting a lotta details to be
494 honest with you.
495

496 Q: Okay, when - when he calls he's all freaked out. He told you he screwed up.
497 He said he made a mistake.
498
499 A: Right.
500
501 Q: Did he explain...
502
503 A: Yeah, he said - he said, "I think I messed up."
504
505 Q: (Unintelligible).
506
507 A: I think I gave her my phone number." I'm like, "Okay." He goes, "Well, I
508 think that's against our policies." I said, "Well, not that I'm aware of, but,
509 you know, I don't know. I - I'm not - I don't have the policies memorized,
510 but I don't think that's any big issue. Um, he goes, "Well, you know, I - I - it
511 was my personal number. I think that's a - that's a problem." I said, "I -
512 dude, I - I don't know. I - I don't see it being as a pr- I - I don't know what's
513 going on. I don't know why you're so worked up. This is not a big deal." I
514 said, "It's actually a good thing. I'll get a hold of this detective," and I went
515 through that whole route with him. That was the gist of the conversation.
516 Um, you know, I - I don't - I don't remember going into other details with him
517 about any of that stuff. Uh, so I mean, I - I don't know what else to tell you
518 other than what I did.
519
520 Q: And you said you've given your telephone number out to people?
521
522 A: Oh, yeah.
523
524 Q: Even your telephone number out to females?
525
526 A: Oh, yeah. I - I - I'll be honest with you. The - the best CI's that I ever had
527 were the females. I mean - and uh, but I mean, I - I - I know how to deal with
528 - how to work with that. I know you have to have (unintelligible) and deal
529 with all that stuff all the time as I'm sure you do deal with that stuff, uh,
530 which is when he got the call back, I thought, "Hey, dude. This is not a big
531 deal. Here's what we do. When she calls back we'll get her setup and we,
532 you know, she meets with the detectives and, you know, you hand her off, and
533 that's another good day."
534
535 Q: Do you think it's proper to give your telephone number out to a female to
536 cultivate as a CI?
537
538 A: Well, obviously, I've done it a buncha times. So I mean, I've given my cell
539 number out for them to call. I still get calls from - usually when they get
540 arrested, but...

541
542 Q: Would it - would it necessarily worry or concern you if you gave your phone
543 number out to a female CI - or a female that you wanted to be a CI or wanted
544 information from, would it concern you that she called you back?
545
546 A: No. I mean...
547
548 Q: Would - would you...
549
550 A: ...that's how - that's how I contact 'em.
551
552 Q: ...would you be freaked out if a female you gave your phone number to called
553 you back?
554
555 A: No, that's how I got all my CI's.
556
557 Q: All right. Did it - did it seem - did it seem odd to you that (Moncreff) was so
558 concerned and freaked out over a female calling him back when he, himself
559 gave her the phone number?
560
561 A: I'm sorry, back up. So...
562
563 Q: Did...
564
565 Q2: I think what he's asking is...
566
567 Q: ...did it seem - did it seem odd to you that when (Moncreff) calls you and he
568 says, "Oh my god. I made a mistake. I'm really freaking out," you know,
569 whatever, "Oh my god," that what he did was give his phone number to a
570 female and said, "Hey, if you got anything call me."
571
572 A: Right.
573
574 Q: Did it seem odd that he's freaked out that someone he gave his phone number
575 to called him?
576
577 A: Well, obviously now it does. At the time it didn't. I mean it - it - it - because
578 that was his normal behavior to kinda be a little high strung like that, and I
579 mean he - he usually get upset or upset - he used to get worried I would -
580 probably the easiest way to say it, about things that really there wasn't
581 anything - any reason to worry about. Um, you know, I (unintelligible),
582 "Dude, your intentions are to do this, and this, and this, and you're - and
583 you're being noble in what you're trying to do," which is what I - I - a text
584 that I sent him, um, I don't know if you ever read it or you've gone through all
585 the stuff.

586
587 Q: (Unintelligible).
588
589 A: I'm sure you did. You know said, "Dude, you're - you're doing the right
590 thing." So I mean, even the text I sent him, which was fricking long, I know,
591 and I still have all that stuff, was, you know, "Don't stress about this." I said,
592 "You've - you've done the right thing. If you're worried about somebody
593 giving your phone number and somebody calling you back that this is a bad
594 thing," I said, "it's - it's not a big deal. It's just how we handle it from here,"
595 and that was the conversation we had. I didn't - I mean, obviously now,
596 obviously I know there's a lot more to it, but at the time I - I didn't think it
597 was a big deal. His behavior was unfortunately somewhat normal for him
598 being worked up.
599
600 Q: So as worked up as he seem to be over something that seems to be very
601 simple.
602
603 A: It did, but that was...
604
605 Q: He gave - he gave...
606
607 A: ...but that was normal.
608
609 Q: Okay. He gave his number to somebody and said, "Hey, call me," and they
610 did.
611
612 A: Right.
613
614 Q: And he's (unintelligible) freaked out over it. Did you question him about that
615 at all? "Why are you so freaked out?"
616
617 A: Ye- yeah, and I...
618
619 Q: Did you ask him direct questions about what may or may not have occurred?
620
621 A: Well, I think I said that to you before. I mean, the only conversation I had
622 with him was, "Well, dude. Her giving you the phone number is not a big
623 deal. I mean if she calls you back and we get her plugged in with the
624 detective and you guys sit down and, you know, you hand her off to
625 somebody else." I said, "You know is - is there - is there more? Is there
626 something else?" I mean, uh, other - and - and, "No, I just - I gave her the
627 number but I gave her my cell phone number. I think I messed up." "No, just
628 trust me. It's not that big a deal." So I kind of put it to rest that it wasn't a big
629 deal; didn't worry about it too much until things started progressing.
630

631 Q1: (Don)'s the kind of guy that if you say, "Good morning," to him he'll ask you,
632 "What do you mean by that?"
633

634 A: Exactly.
635

636 Q1: I mean that's...
637

638 A: And - and I don't know how to articulate (unintelligible).
639

640 Q1: You - you guys didn't have an opportunity to uh, to interview him because he
641 - he resign uh, prior to being interviewed, but uh - uh, I mean, I can tell you,
642 I've spent hours on the phone with him and he is just...
643

644 A: Excuse me (unintelligible).
645

646 Q1: ...very, very uh, he's very suspicious. He's very emotional. He's - every
647 conversation I've had with him has been uh, some aspect of having to, "Okay,
648 calm down. You know you're getting spun up over nothing. You know that's
649 not healthy. Let's get to what we need to talk about." I mean, that's just the
650 way he was.
651

652 Q: Did you have any inclination from talking to (Moncreff) - and I'm gonna
653 phrase this in a...
654

655 A: Excuse me.
656

657 Q: ...different way here, but if there was anything sexual in nature however
658 slight - attraction to one party or the other involved in that situation with
659 (Moncreff) and this girl?
660

661 A: No. I mean, well not until I heard that he needed to go see (Holden). I mean,
662 that was the first point. I was like um, you know, I still didn't know what it
663 was, but I'm assuming there was a little more - more to it, because he was
664 directed to go down there, but my biggest - my first thought was, you know,
665 it's because he called directly up to the Chief and it started flowing down, and
666 I wasn't sure what role (Holden) was playing -- if he was a captain in charge
667 of a certain area. I - I didn't know exactly what he was doing. I just, you
668 know, like I said, I told 'em. I said, "Look, he's pretty straight - pretty
669 straight shooter. Go talk with him. It's not a big deal." Uh, I have no idea
670 what his thought of her was or I never had any discussion with him about her.
671

672 Q: And do you - do you say anything to (Moncreff) about her being interested in
673 him?
674

675 A: You know uh, he - he may - I think - yeah, I think he did say something about
676 it. I think - I think she was kinda - kinda sweet on me. Uh, yeah, I think - I
677 think I remember him saying something, "She was kinda sweet on me," and I
678 said, "Well, that's not a big deal." I said, "Unfortunately, I had a lotta my
679 CI's, you know, really like me and," I said, "It was usually the rather big ones
680 um, that were really, you know, taken," I said, "And - and that's fine." You
681 know if I'm a nice guy and they're used to being treated terrible all the time
682 and I'm actually treating them nice and they actually, you know, like me as a
683 person, that's fine. I use it to my, you know, my benefit to, you know, to get
684 what we need to get out of 'em, and - and uh, and use 'em as a successful
685 source. So when he said that I - I remember kinda thinking about that, but I
686 didn't - I - I didn't - I didn't even put it together that there was something else
687 going on.
688

689 Q: So you talk to him about some type of attraction that she had.

690
691 A: Well, I just - I - I - I - I (unintelligible)...

692
693 ((Crosstalk))
694

695 A: Well, I just remember him saying something about, "I think she was sweet on
696 me."
697

698 Q: And you had...

699
700 A: And I remember laughing and saying, "Yeah, I - I - I've had that with some of
701 the girls I had," and just like I told you, I - but I don't remember it going any
702 further in any other discussion other than - than that, 'cause we went right
703 back to the, "This is not a big deal. We'll get you hooked up with a
704 detective."
705

706 Q: Did (Moncreff) tell you that he un-handcuff [REDACTED]?

707
708 A: And I - I don't remember any of that conversation. That was what I talk with
709 um, (Holden) about and he had asked. He said, "Did she mention anything
710 about being un-handcuffed?" and I said I - I don't recall him saying anything
711 about that, and I don't remember anything in the conversations or text
712 messages or anything about that. If he did, I - I - I don't remember. I mean, I
713 try and remember as much as I can. Ask my wife. I don't remember
714 everything that happens and every conversation I have, so, uh, you know, I
715 apologize. I - I - I don't remember having that conversation.
716

717 Q: You don't - you don't remember him saying anything about having un-
718 handcuffed her?
719

720 A: Un-handcuffed her? I - I don't, and I - and that's been the whole problem
721 with this whole thing all along, and I've gotten hit up by uh, Sex Crimes about
722 it, and - and if he did, I didn't take any uh, I did- obviously I didn't focus any
723 attention on it enough to even remember it. So I don't remember the - the
724 depth of it. I mean, I'm not saying he didn't. I - I don't know. Maybe he did.
725 I - I - I - but I don't remember having that conversation with him.
726

727 Q: So if he woulda told you something about being unhan- or having un-
728 handcuffed her, you think you would question him about that?
729

730 A: Probably, but I - I mean, I can't answer that because I don't remember
731 having...
732

733 Q1: You don't remember.
734

735 A: ...having the conversation, so, you know, how it came out, I - I don't know. I
736 mean, I can't...
737

738 Q1: I don't want you to guess and I don't want you to speculate.
739

740 A: I don't. I mean, I - I just -
741

742 Q: So you don't. Do you recall giving (Moncreff) any advice about what to talk
743 to the Sex Crimes about concerning handcuffing?
744

745 A: Well, not if I don't remember having the conversation. It's a little hard to say
746 I said anything 'cause I don't remember having a conversation. So, I mean, I
747 would never - I mean, I directed him to go - ask him to go down there and talk
748 to him. I mean, that was my whole goal was to get him down there uh, and I -
749 I mean, I've been on this job long enough. I know that being straightforward
750 about things and be honest about stuff is - even if you do make a mistake is
751 the best way to, you know, work your way through stuff. I never would've,
752 you know, intentionally directed him to go down there and be untruthful about
753 anything, which is what I keep kinda getting thrown my way, but I - I don't
754 remember having the conversation with him, so I - I don't know what - what
755 else to tell you about how that went when I don't - I don't recall having the
756 conversation.
757

758 Q: Would you have told him anything about not volunteering information or
759 anything around that - those lines?
760

761 A: I - I - not...
762

763 Q: Don't - don't tell 'em if they don't ask, anything like that?
764

765 A: Not - well, I mean, like I said, I never would've intentionally directed him not
766 to be truthful. That would've of been my - I mean, I never would've done that
767 intentionally, so I - I - I don't know. I mean, during our conversations, I don't
768 know if - how things were perceived or what - how - how it happen, but I
769 don't remember having a conversation with him about the cuffs. I don't
770 remember directing him to be untruthful about anything, which I'm assuming
771 what you're asking. I mean, if anything I was trying to do everything I could
772 to try and get him to go down there and deal with the drama that he had,
773 which like I said, to me at the time was the fact that he jump those - that chain
774 of command and I'm just - I was kinda freaked out about the fact that it - it
775 went that direction and unknowing what was happening, and even to this day I
776 still don't know other than watching the news, what happen with this whole
777 thing.

778
779 Q: Okay. When you talk to (Holden) it was about five days, maybe six days
780 may- maybe after uh, the initial phone calls with (Moncreff). It was like on
781 the 25th, and I think your first phone call was like the 18th with (Moncreff).

782
783 A: I - it's - it's - it was - it was closed. I don't remember exactly 'cause I know...

784
785 Q: (Unintelligible).

786
787 A: ... 'cause I know I'd left. I'd - I'd left here went - actually went up to the
788 school in uh, Orange County, and I think I'd been up there for several days
789 prior to him calling, but it was on- it was just a two week school, and it was
790 during the first week that he called. So I mighta been, you know, second or
791 third day, something like that.

792
793 Q: When you talk to (Holden) you had mentioned - or do you recall mentioning
794 to him that uh, you had the conversation with (Moncreff) about uh, how she
795 mighta been sweet on him and coulda had a crush on him...

796
797 A: Well, see, I uh...

798
799 Q: ...and...

800
801 A: ...I - I...

802
803 Q: ...you explain - you explain the same story that you just explain to...

804
805 A: Let me put it this way. I - I've been interviewed several times about this, and
806 what I've said hasn't been any different every time I've sat down. So uh, you
807 mentioned the part about being sweet with - or about him being attract to her,
808 that I do remember se- remember that, and I - I would assume that I probably
809 told (Holden) something along that line, I guess. I - I - I don't know, but I

810 mean, I - I - I don't - I don't remember the whole conversation that he - he and
811 I had. It was basically the same as we did.

812
813 Q: All right, in your - in your transcripts with (Holden) it mentions the same
814 story you just told me.

815
816 A: Well, that's...

817
818 Q: So you - you mentioned that uh, (Moncreff) said like she was interested him
819 kinda thing -- had a crush on him. You talk to him about uh, exactly what you
820 just told me, that maybe he had a crush on him and you said that you had a
821 few CI's that did the same thing.

822
823 A: Mm-hm.

824
825 Q: The heavyset ones.

826
827 A: Yeah.

828
829 Q: Etcetera.

830
831 A: That's kind of - yeah, unfortunately, but yeah.

832
833 Q: About four months later you had the interview with the DA?

834
835 A: Uh...

836
837 Q: In June.

838
839 A: Okay.

840
841 Q: And during that interview do you recall them asking you questions about if
842 there's anything sexual in nature about the incident?

843
844 A: Well, I remember them asking if there's any sexual in nature, but at that point,
845 I didn't know of anything sexual in nature. Now are you referring to the fact
846 of somebody saying that they were sweet on somebody is sexual in nature?

847
848 Q: Well, that's what I'm asking (unintelligible).

849
850 A: Well, I - I - I - had they asked me what you just asked me they would've got
851 the same response I gave to you. I don't remember how they worded or what
852 they said, but during the whole conversation all the things that I had back and
853 forth with him, I never knew that there was any sexual type stuff that was

854 going on other than, you know, and I wouldn't necessarily say somebody
855 being sweet on somebody is a sexual type thing.
856

857 Q: Okay. So in the (Holden) interview you talk about there being some kind of a
858 crush thing, interested thing, whatever, during the DA's interview. That's
859 why I'm asking.
860

861 A: Right.
862

863 Q: 'Cause we need to...
864

865 A: No, that's fine.
866

867 Q: ...(unintelligible) the two different ways it was said, and I just want...
868

869 A: Okay.
870

871 Q: ...you to clarify how it came across. They asked something here similar to
872 uh, "Did you ever bring up that it was like something of a sexual nature?" and
873 you said, "No, they said nothing like that."
874

875 A: Hm.
876

877 Q: And you said, "I didn't even - didn't even register to even, you know, ask."
878

879 A: And it didn't.
880

881 Q: So in the DA's interview when they're asking you, "Is there anything of a
882 sexual nature," what were you...
883

884 A: Well...
885

886 Q: ...what were you...
887

888 A: What was I thinking? Everything is plastered all over the news, and we had
889 (Hayes) all over the news - all this other stuff - well, the sexual stuff, and it
890 never even cross my mind that it'd be something like that. So that's what's in
891 my mind when they ask - ask something like that. Um, if they'd asked, you
892 know, "Did he make any comment about her thinking he was, you know,
893 sweet or something like that," I mean I'd give 'em the same answer I
894 would've given to you.
895

896 Q: So the way the DA phrased it...
897

898 A: Well, I - I assume because I mean, I would've told them the same thing I
899 would've told you had - had you asked it, and if you would ask me if there
900 was - was there anything sexual in nature that I picked up the answer is no. I
901 didn't think there was uh, any sex type thing that was going on until it hit the
902 fan.
903

904 Q: Okay. So the way the DA phrased it you were thinking of like sexual acts, is
905 that correct?
906

907 A: I - I'm assuming, yeah. I mean that'd - that'd be the safest way...
908

909 Q: So you told them no.
910

911 A: Well, and that would be correct, and I'm just telling you now, I never - never
912 believe that there was anything sexual in nature that was going on. Now I
913 would consider her saying she had sweet on him or something as being sexual
914 in nature at that point - I mean, I never would consider that with any of my
915 sources that I had for years. I mean, we were friends and stuff, but there was
916 never anything sexual in nature about it whether they liked me or not.
917

918 Q1: So the DA's ter- uh...
919

920 Q: So he's using different terminology and you're - you're answering that
921 question with that different terminology in mind.
922

923 A: Well, if you're asking me if somebody had - if there was sexual in nature,
924 that's what I'm thinking.
925

926 Q1: You're - you're thinking of some kind of sex act or sexually explicit...
927

928 A: Yeah, especially with all the stuff that was going on at the time, and all this hit
929 right when all the (Hayes) stuff was going.
930

931 Q1: Right.
932

933 A: That's what's going on in my mind, and I had no fricking clue this is gonna be
934 driving down that same road.
935

936 Q1: You know what the sergeant was trying to figure out is - is uh...
937

938 A: No, I - yeah.
939

940 Q1: ...(unintelligible)...
941

942 A: I - I - I - I get - I get it.

943
944 Q1: ...is there a discrepancy between...
945
946 A: I - and I understand.
947
948 Q1: ...what you told (Holden) and what you told the DA...
949
950 A: Right.
951
952 Q1: ...were they basically different questions.
953
954 A: Right. No, and I - I understand. I can see how that may have been taken out
955 of context but I'm telling you right now I had - if you ask me directly that,
956 that's the way in my mind, I thought about it then. That's still the way I think
957 about it now. Had I known then what was going on, I probably would've
958 thought about it a little bit more along the line of sexual in nature rather than
959 that, but I didn't know at the time what was going on with that.
960
961 Q: Okay. And then with the un-handcuffing, when you talk to (Holden) you told
962 him that you didn't recall any conversation...
963
964 A: Correct.
965
966 Q: ...about their being un-handcuffing.
967
968 A: Correct.
969
970 Q: When you talk to the DA's interview, you told 'em that you did remember
971 that he un-handcuffed her.
972
973 A: No.
974
975 Q: You made several statements like, "On the - on the handcuffing I just vaguely
976 remember him throwing that out there in one of the phone conversations."
977
978 A: Well, no. Yeah, here - here...
979
980 Q: And - well, I wanted to finish, so let me...
981
982 A: Sure - sure, go ahead.
983
984 Q: And then a couple time you said, "Like I'm talking about the un-handcuffing."
985 You say, "Right - right." And then you say, "And I don't remember the exact
986 (unintelligible) of how that went, and when I talk to uh, (Mike) and uh,
987 (Leslie) they were asking about it, and I said, "Man, I - I don't specifically

988 remember him going into that, and I don't - I don't even remember how we
989 talked about it."
990

991 A: Right.

992
993 Q: So you're discussing that.

994
995 A: Right.

996
997 Q: But then you tell her - you tell the DA that uh, he did tell you that he un-
998 handcuffed her and you were assuming that like at (unintelligible) she was un-
999 handcuffed or something, or a little bit to stretch her arms and, you know, or
1000 something like that."
1001

1002 A: Well, and here - here's the deal, is, you know, ob- obviously there was some
1003 kinda conversation that I didn't pick up on, or this - I wouldn't be sitting here
1004 talking to you right now, and when I told (Holden) I didn't remember
1005 anything, I didn't remember anything, and then I - and I'm getting hit up, you
1006 know, again by Sex Crimes (unintelligible) obviously there was something
1007 that went on as far as conversation, and I don't remember, and the fact that I
1008 didn't put any - any uh, I guess credibility to anything. I - I - I never assumed
1009 that there was anything wrong with what happened or I - I probably would've
1010 registered something in my mind that hey, I need to hit him up and - and deal
1011 with this. 'Cause if he had told me that, "Hey, you know I had her on un-
1012 handcuffed or these things happened," well, yeah, the red flags would go up.
1013 No red flags went up, but obviously I'm assuming that he obviously made
1014 some comment to me about that, or we wouldn't be sitting here going over
1015 this stuff.

1016
1017 Q: Well, and that's...

1018
1019 A: And I - and I don't - I - but I don't remember having the conversation with
1020 him. So I'm sitting here trying to articulate what may have happened or what
1021 might he of said, and why didn't I pick up on it? Why didn't I catch it?
1022 Because obviously I didn't, so if he made some comment about being
1023 handcuffed or un-handcuffing, and that - that's kinda the direction they were -
1024 they were going asking, "Well, how - how would you have - how would you
1025 have um, looked at that? I said, "Well, due to the fact that I didn't take any -
1026 give it any uh, credibility would've been, you know, did I un- un-handcuff her
1027 at (Los Colinas)? She's gonna stretch her arms or something like that." I
1028 said, that's probably the direction it - it would have gone in my mind because
1029 nothing hit my mind that hey, this - anything was bad or wrong that was done
1030 here. Does that make sense?
1031

1032 Q1: It's not a credibility issue. It's what was significant to you at the time in your
1033 conversation with (Moncreff) and...
1034
1035 A: Right.
1036
1037 Q1: ...did it register in a way that uh, would indicate, you know, some specific
1038 concern. Uh, but what I - I think what uh, Sergeant Righthouse is asking is,
1039 you know, what happen between the time that you're talking to (Holden)
1040 and...
1041
1042 A: Right, and - and - and why when I talk to him.
1043
1044 Q1: ...(unintelligible)...
1045
1046 A: And I - and I - I understand...
1047
1048 Q: When you talk to (Holden) - that's what I'm trying to clarify.
1049
1050 A: Yes, sir.
1051
1052 Q: When you talk to (Holden) and he asks you about...
1053
1054 A: I don't remember.
1055
1056 Q: ...un-handcuffing...
1057
1058 A: Right.
1059
1060 Q: ...which was maybe five, six days after you talk to (Moncreff).
1061
1062 A: Right.
1063
1064 Q: You told (Holden) that you didn't know anything about un-handcuffing.
1065
1066 A: I - and I didn't.
1067
1068 Q: When you talk to the DA...
1069
1070 A: Right.
1071
1072 Q: ...you tell then you did know there was un-handcuffing. You made
1073 statements like this one here. I wanna read it to you.
1074
1075 A: Okay.
1076

1077 Q: It's fair.
1078
1079 A: Okay.
1080
1081 Q: It says uh, "I would like - you know what? I vaguely remember him saying
1082 something about un-handcuffing, but I didn't remember the - the details to it.
1083 I don't remember how that came about."
1084
1085 A: It - it's...
1086
1087 Q: But you're telling the DA that you do remember him saying something about
1088 un-handcuffing. You don't remember the details, but you remember him...
1089
1090 A: Right.
1091
1092 Q: ...saying something about it, but you told (Holden)...
1093
1094 A: Right.
1095
1096 Q: ...you didn't remember anything.
1097
1098 A: Right - right.
1099
1100 Q: So what's the...
1101
1102 A: I understand.
1103
1104 Q: ...why did you tell (Holden) that?
1105
1106 A: And - and - and here's the deal th- throughout this whole time I - I'm - I'm
1107 beating myself up, number one, because I didn't pick up what was going on,
1108 and it killed me, and it really tore me up what the - (Don), 'cause I like the
1109 guy, and (unintelligible) I mean, I was fricking sick to my stomach that this
1110 whole thing happen and everything went down the way it did. Um, and - and
1111 I'm beating myself up trying to - what did I miss? How - how - how did I not
1112 get the clues? How do I not pick this stuff up? Having that conversation with
1113 (Holden), I - I - I didn't remember having any kinda conversation with him
1114 about handcuffs. As I get hit up by um, (Leslie) in Sex Crimes, she kinda ask
1115 the same kinda stuff and she says, "Well, you know, is it possible during the
1116 conversation you had with him that it was, you know, more like uh, he just,
1117 you know, took her handcuffs off at (Colinas)." I said - I said, if - if there was
1118 a con- if we had that conversation I'm sure that's the direction it would've
1119 been because it didn't register that there was any issue or anything - any
1120 problem with it, or I would have keyed in on it more than obviously I didn't.
1121 So having the conversation with the DA's Office I'm going - I'm still thinking

1122 the same things that I - conversation I had with (Leslie) and had with him.
1123 Obviously there was probably something that was said that I'm not
1124 remembering or I wouldn't be sitting here today going over this, and I don't
1125 know how to articulate it any better, but I don't remember having a specific
1126 conversation about it. If he did, it was to the extent that I didn't click in that it
1127 was an issue to have. So when there was examples that were thrown out by
1128 (Leslie), "Well, is it possible it was something like this?" Well, yeah, sure it's
1129 possible because I - him un-cuffing her at (Los Colinas) letting her stretch her
1130 arms, I don't see it as a big deal. I've done that all kinds of times
1131 (unintelligible), you know, my arms hurt. Okay, "I'll let you stretch your
1132 arms a little bit then we're gonna get these in, and then they'll get off, you
1133 know, for a little while." I said, "Yeah, that's - that's possible because it
1134 didn't register -- didn't click in my mind as being anything that he did wrong.
1135 Had it been something he had done - I recognize he'd done wrong, well, yeah,
1136 I think I woulda remembered it a little bit better just like a lotta the other
1137 stuff."

1138
1139 Q2: So when the sergeant asked you, you know, what is the difference between uh,
1140 or what has occurred between your conversation with (Holden) and your
1141 conversation with the DA, the - the answer is, the passage of time as well as
1142 being questioned and re-questioned and questioned again 'causing you to go
1143 back and re-think about what...

1144
1145 A: How - how - exactly.

1146
1147 Q2: ...conversation you had.

1148
1149 A: Exactly.

1150
1151 Q2: Okay. I don't know if that answers your question.

1152
1153 Q: It - it might. So basically when you talk to (Holden)...

1154
1155 A: Mm-hm.

1156
1157 Q: You're saying you didn't remember.

1158
1159 A: Right.

1160
1161 Q: When you talk to the DA four months later you did remember.

1162
1163 A: Well, let me tell you. Uh, even...

1164
1165 Q: You had a big - you had a big recollection (unintelligible)...

1166

1167 A: My - my recollection was, if I did have a conversation with him about that, it
1168 wasn't to the extent that it was anything significant and - and that's the whole
1169 thing and - and - because I don't - I don't want (unintelligible) I mean, I don't
1170 know, you - you may have the whole thing recorded. I have no idea, and even
1171 if it is, I still don't remember doing that, and I'm not saying it didn't happen
1172 because I just - I don't remember. I don't remember every...

1173
1174 Q: Remember ever doing which one?

1175
1176 A: Back up.

1177
1178 Q: (Unintelligible) wanna be clear. You don't remember...

1179
1180 A: Sure.

1181
1182 Q: ...doing which one? Telling (Holden) you don't remember or...

1183
1184 A: Oh, no - no, I...

1185
1186 Q: ...telling the DA you do remember?

1187
1188 A: No, I remember telling (Holden) that I - I didn't remember having the
1189 conversation because I didn't remember having a conversation about that.
1190 Um, had I did, I'd a told him. I - I - I've got nothing to hide. I'm - I'm not
1191 trying to - I'm not trying to, you know, save him. I'm not trying to, you
1192 know, do anything other than trying to do the right thing, which obviously has
1193 been backfiring like crazy um, and then having a conversation with the D -
1194 with uh - uh, with (John) uh, you know, like uh, and I don't know how to
1195 articulate any better than I've already said. I - I don't know that there was any
1196 significant to it, and obviously I must've had some conversation or this
1197 wouldn't have kept coming up. I just - I don't remember having the
1198 conversation, if it was, and it was significant I - I would have remembered it a
1199 little bit, you know? So I - I'm beating myself. Well, how - how did he bring
1200 it up? What was it that could've been said? And I'm trying to pick bits - bits
1201 and pieces of what everybody keeps asking me 'cause I mean, I've - I've been
1202 sitting in your seat doing a lotta - lotta fricking cases and I to- I totally
1203 understand. That's what pisses me off probably the most that I didn't realize
1204 it was probably uh, you know, a call that was coming in that was being
1205 recorded with him, and the detective and all this stuff. It clicked and it
1206 registered. I just don't wanna think that my guys are doing anything wrong,
1207 so it wasn't something that automatically pops into my head all the time, so...

1208
1209 Q: But the - but the difference in the two (unintelligible)...

1210
1211 A: No, I - I understand that.

1212
1213 Q: ... un-handcuff statements is it just that you didn't remember? 'Cause you
1214 told (Holden) - basically in a nutshell, you told (Holden) no, there wasn't -
1215 you don't recall anything about un-handcuffing.
1216
1217 A: I - I - and I don't.
1218
1219 Q: You told the DA you do.
1220
1221 A: And my - my intent when I'm talking to the DA - because I had talked to
1222 (Leslie), talk to them, if - if we did have a conversation and I, like I said, I
1223 don't remember having a conversation with him about it, and I don't know
1224 how to keep saying that over and over again. If we - if we did it wasn't
1225 significant enough to the point that I thought anything of it - if, I mean, and -
1226 and had people gave me examples, "Was it because you thought he was doing
1227 this?" I said, "Well, that's possible 'cause that does seem like a big deal."
1228
1229 Q: Okay. Uh, had - had (Moncreff) told you - or if (Moncreff) did tell you...
1230
1231 A: Mm-hm.
1232
1233 Q: ... 'cause in the DA's you say that you vaguely remember him talking about
1234 un-handcuffing the lady. Did you question (Moncreff) about the un-
1235 handcuffing...
1236
1237 A: Obviously not 'cause I don't remember even talking about it.
1238
1239 Q: And why would you not question (Moncreff) if - if he's freaked out and acting
1240 crazy about just the telephone call and he happens to throw out, "Oh, and I un-
1241 handcuffed her at some point," why would you not question him about that?
1242
1243 A: But I don't remember him even saying that, so I can't tell you how I would've
1244 reacted to it because I don't remember it. So as we're going through all this
1245 stuff, being interviewed over and over again about this stuff, I'm trying to go
1246 through and beat myself up trying to go what - what is it I missed? What did I
1247 not catch? Did he say anything and if he did, I don't remember the content of
1248 what it was, um...
1249
1250 Q: So if he did say anything about it would it be fair to say that you didn't delve
1251 into questions about (unintelligible)...
1252
1253 A: Well, obviously or - or I woulda remembered it. Yeah. I - I apologize. I'm
1254 trying - I'm trying to be...
1255
1256 Q: That's all right. We're just (unintelligible)...

1257
1258 A: ...straightforward as I am.
1259
1260 Q: ...we're as clear as we possibly can be on...
1261
1262 A: No, I - I understand.
1263
1264 Q: ...your statements.
1265
1266 A: Like I said, I've got - I've got nothing to hide. I want - I wanna be
1267 straightforward about this stuff, and...
1268
1269 Q: After talking with the DA and telling them that you vaguely remember the un-
1270 handcuffing, did you contact Sex Crimes or (Holden) to tell them that you
1271 had...
1272
1273 A: No.
1274
1275 Q: ...called something...
1276
1277 A: No, because I - I - my conversation with - with the DA's Office, I didn't think
1278 was any different than what I had talked with (Holden) about.
1279
1280 Q: So you didn't remember telling (Holden)...
1281
1282 A: Oh, no. I remember telling him I didn't - didn't remember anything. I'm tell-
1283 I'm tell- what I'm trying to tell you with this stuff is, I - I still - god, I don't
1284 know how to keep saying the same thing over and over again.
1285
1286 Q: I'm not trying to frustrate you.
1287
1288 A: No, I - I understand that, but it's frustrating because I - I - I wanna be
1289 straightforward and give you everything, and I feel like I am, but I know it
1290 keeps getting hit up with the same question 'cause of the inconsistency with
1291 there with the other one. So I - I - I don't know what to tell you. I still at this
1292 day sitting here don't remember him specifically saying anything about
1293 handcuffed, un-handcuffed or anything about that, and had - and that - and -
1294 and it was the phrase of the questions I kept getting asked all the time, I
1295 assume that well, obviously he musta said something and I missed it. What
1296 was the content of that conversation? I don't fucking remember, 'cause if I
1297 had remember, I probably would've hit him up and ask- asked him something.
1298 Now when they're asking me what was, you know, do you - do you remember
1299 him saying anything? Just like I'm telling you may- maybe he did. I don't
1300 know. I - I don't remember him saying anything or I would have addressed it
1301 differently I would imagine. I mean, I - I...

1302
1303 Q: So at the time had you delved into the un-handcuffing you would've
1304 remembered doing that. So you obviously didn't have a big conversation with
1305 (Moncreff) about un-handcuffing this 10 16?
1306
1307 A: Obviously or I woulda remembered, and I - I don't know. I think I've said
1308 that over and over again. I don't know how to...
1309
1310 Q: I - no, that - that's fair.
1311
1312 A: ...articulate it any different to you.
1313
1314 Q: I'm just trying to make sure I'm hearing what you're telling me.
1315
1316 A: Right.
1317
1318 Q: And then when you talk to the DA you said you vaguely remembered un-
1319 handcuffing, but you didn't remember details (unintelligible)...
1320
1321 A: Yeah, and - and - and you know what, and at that time...
1322
1323 Q: ...between the two interviews...
1324
1325 A: Right.
1326
1327 Q: ...so when you talk to (Holden) you didn't recall and that's fine.
1328
1329 A: Right.
1330
1331 Q: When you talk to the DA four months had transpired. You (unintelligible)
1332 you could've remembered it. So, when you talk...
1333
1334 A: Well, no. I - I wouldn't remember anything any different. The problem is
1335 between this whole time I'm getting hit up about this whole handcuffing
1336 thing, and I'm assuming obviously there was a conversation that went on.
1337
1338 Q1: I think we're getting wrapped around the axel on - on uh...
1339
1340 A: Yes.
1341
1342 Q1: ...semantics uh...
1343
1344 Q: I'm just asking if you vaguely recalled later that's okay (unintelligible)...
1345

1346 Q1: It's not an issue of recollection. It's an issue of deducing - now the first time
1347 you're asked a question on something that you didn't think was significant
1348 you just pass it off. I - I don't recall having that conversation. The next time
1349 you're asked the same questions in the same general area, okay, now it's a
1350 little bit more significant. The next time after that you're being asked the
1351 same general question...

1352

1353 A: That's even more significant.

1354

1355 Q1: ...it's even more significant and then what your mind is telling you based on
1356 the questions is obviously there must've been a conversation regarding
1357 handcuffing, but I can't tell you what that conversation was other than it was a
1358 vague conversation. So it's not...

1359

1360 A: Correct.

1361

1362 Q1: ...so it's not so much an issue - and we keep using the word, well, you know,
1363 you - you recall uh, four months later when you're talking to the DA, but you
1364 couldn't recall four days later when you're talking to uh, (Holden). It's not an
1365 issue of recalling four months later. It's an issue of now this point has been
1366 emphasized and re-emphasized and emphasized yet again to the point where
1367 clearly there must've been a conversation.

1368

1369 A: Exactly. Thank you.

1370

1371 Q1: Or they wouldn't keep asking me this question, but the first time I was asked
1372 by (Holden) it didn't seem significant and - and it wasn't something that
1373 registered in my head, so no, I told 'em, yeah, I - I don't - I don't recall that,
1374 but then by the time we get to the DA several interviews later it's very clear
1375 that that is a point of contention as he keeps saying otherwise I wouldn't be
1376 sitting here or talking about this. It's not that he recalls the conversation with
1377 (Moncreff) four months later. It's that he now knows that that's a significant
1378 issue and from the framing of the question it clearly occurred. So then it's,
1379 okay, well, let me try to speculate on what may of occurred. Uh, well, it was
1380 probably some general conversation about handcuffing.

1381

1382 Q: Okay, so let me - let me try to clarify this 'cause I'm trying to just
1383 (unintelligible)...

1384

1385 Q1: And I don't wanna put words in his mouth.

1386

1387 A: No - no - no - no - no.

1388

1389 Q1: That's what I'm hearing.

1390

1391 Q: And that - that's kinda what I'm hearing but and (unintelligible)...

1392

1393 A: Well, and that's what I'm trying to say.

1394

1395 Q: Okay.

1396

1397 A: Obviously it's not coming out right like all this other...

1398

1399 Q: That's all right.

1400

1401 A: ...stuff is going on, but...

1402

1403 Q: But with the DA...

1404

1405 A: Yeah.

1406

1407 Q: ...there's two different places where you say, "I vaguely remember. I vaguely

1408 remember him saying something about un-handcuffing her at some point."

1409

1410 A: I - I - and I don't...

1411

1412 Q: So when you - when you say to the DA, "I vaguely remember her uh-hand-

1413 him saying he un-handcuffed her at some point." Did you truly have a vague

1414 memory of him telling you, "I un-handcuffed her at some point?"

1415

1416 A: No. Because I - like I said, I'm - I'm going through this over and over again,

1417 and obviously like you said, there was some - something that was done that I

1418 missed, and so I'm trying at this point - trying to figure out how was it

1419 brought up. How was it said, because I - I - I just - I don't know how to

1420 answer those anymore - any other direction.

1421

1422 Q1: Well, I think you - you've - you've answered it. I mean, and - and - and I - I

1423 guess - I mean, if I'm sitting where Sergeant Righthouse is sitting I'd be

1424 asking, "Well, you know, were you trying to be helpful, you know, when

1425 you're talking to the DA?"

1426

1427 A: Yeah, and that'd be a fair way to say it. If - if - if the conversation did take

1428 place it wasn't significant and I - I wouldn't have - I didn't put anything to it,

1429 which is kinda what...

1430

1431 Q: And that - that - and that...

1432

1433 A: ...what they were asking.

1434

1435 Q: ...and that I understand like what Pinckard was saying. I - I agree when you
1436 were first asked.
1437
1438 A: Right.
1439
1440 Q: So my - my question's kinda - I can't get there. My question's basically when
1441 you talk to (Holden) I understand maybe it didn't trip in your mind at the time.
1442 You weren't thinking about it, so you said, "No, I don't remember anything."
1443
1444 A: Right.
1445
1446 Q: Whatever. Four months later you have a lotta time to think.
1447
1448 A: Yeah - yeah.
1449
1450 Q: So if you do have a vague recollection that yeah, he did say something about
1451 un-handcuffing, but I glossed over it. It didn't matter to me at the time, so I
1452 don't remember what he said. My question is, once you had that vague
1453 recollection, did you talk to (Holden) to say, "Hey, when you - I first talk to
1454 you I said I didn't know anything about handcuffing, but you know what? I
1455 just got interviewed by the DA and I kinda do have a vague recollection that
1456 he said, "Yeah, you know what? He did say something about un-handcuffing
1457 her, but I didn't talk to him about it."
1458
1459 A: Right.
1460
1461 Q: Did you update him...
1462
1463 A: No.
1464
1465 Q: ...to say...
1466
1467 A: No, I didn't.
1468
1469 Q: "Hey, I do have a vague memory of this."
1470
1471 A: No, I didn't because...
1472
1473 Q: (Unintelligible).
1474
1475 A: ...when I got done with that conversation with them, I didn't think it was
1476 anything different than what I'd had with him. The - the statements I still said
1477 to them was still the same thought - my thought I had - I had with (Holden).
1478 Had I thought down the road somewhere that, you know what? Oh, I do
1479 remember the fact that this ABC, or D happened, I would've given a call and

1480 told him that. I - I wouldn't of handed all this stuff - information that I had
1481 over to everybody if I was trying to hide anything from somebody.
1482
1483 Q: Well, I'm not saying you're trying to hide it.
1484
1485 A: No, I'm - yeah...
1486
1487 Q: I'm asking if you corrected it.
1488
1489 A: No - no, because I - I didn't feel that I - there was anything different in the
1490 conversation I had with him that I had with them.
1491
1492 Q: You didn't recall any differences. And - and the one thing I do wanna make
1493 clear though 'cause...
1494
1495 A: Sure.
1496
1497 Q: ...the way you answered I wasn't really sure.
1498
1499 A: Sure.
1500
1501 Q: To the DA at least two times maybe more if I read this, you tell the DA that
1502 you do have a vague recollection of the un-handcuffing. Did you truly have a
1503 vague recollection...
1504
1505 A: Well, it's - it's va-
1506
1507 Q: ...or is that...
1508
1509 A: Well, here's the deal. Just like you say...
1510
1511 Q: ...a misstatement?
1512
1513 A: ...it's - it's - it's - it's probably more of a misstatement, 'cause it's - it's vague
1514 because obviously it happened or I wouldn't be getting hit up again over and
1515 over again about this whole thing, but the fact that it - it's - it's so vague, I
1516 don't even remember the content of anything that would've come out of it in
1517 the first place. So when they're trying to - and I'm trying to beat myself into
1518 how did that come out -- how did it happen, I - I - I still can't tell you because
1519 I don't remember.
1520
1521 Q: All right, (unintelligible). I don't wanna - I don't wanna beat you up over it.
1522
1523 A: Well, and I - I don't - like I said, I don't care. I mean, we can sit here and talk
1524 all night (unintelligible) the same...

1525
1526 Q: No, I...
1527
1528 A: ...information's coming out.
1529
1530 Q: ...I'm just trying to make it clear. I don't wanna make it more confusing. Uh,
1531 you received a text message from (Moncreff) in April that you provided in the
1532 DA's interview.
1533
1534 A: Correct.
1535
1536 Q: Did you provide that text message to (Holden) or Sex Crimes knowing that
1537 there was a Sex Crimes investigation taking place?
1538
1539 A: I was told that the whole thing was washed out and everything was - wasn't
1540 going anywhere, so I never forwarded the stuff up (unintelligible).
1541
1542 Q: Who told - who told you that?
1543
1544 A: I heard it from the lieutenant. I heard it from the captain. I heard from other
1545 people that things weren't going anywhere.
1546
1547 Q: You - you...
1548
1549 A: It was - it was done, need to quit.
1550
1551 Q: ...you didn't contact Sex Crimes with that information that you had...
1552
1553 A: That he had sent me another text?
1554
1555 Q: ...(unintelligible) when he basically admitted to some of the - well, not
1556 basically, but he did admit to...
1557
1558 A: Right.
1559
1560 Q: ...un-handcuffing and etcetera, etcetera, that obviously went along with that
1561 case.
1562
1563 A: No, I was told that - that everything was - was washed out. He - he had quit.
1564 That uh, the DA's Office, nobody was going forward on anything. So, I mean
1565 if - and again, if I was trying to hide that I wouldn't give it to - to the DA's
1566 Office when they interviewed and ask me about it.
1567
1568 Q: Well, I'm not saying you tried to hide it. I'm asking...
1569

1570 A: Well, no. I - I...
1571
1572 Q: ...when you got the text did you contact (Holden) to say, "Hey, you
1573 interviewed me about a Sex Crimes incident. I have evidence to that Sex
1574 Crimes incident," to turn it over to (Holden)?
1575
1576 A: No, but like I said, I told you, I was told that everything was washed out,
1577 nothing was - was going that they had declined to go forward.
1578
1579 Q: (Unintelligible) you thought...
1580
1581 A: The criminal case was done. It was over, and he had quit, and he was gone.
1582
1583 Q: (Unintelligible)...
1584
1585 A: And then obviously it's not when the DA hits me back up and starts asking me
1586 stuff about it.
1587
1588 Q: And that - that was in April.
1589
1590 A: Yeah.
1591
1592 Q: You were interviewed by DA in June.
1593
1594 A: Yeah. Well, like I said, when I ended up - ended up handing the stuff over to
1595 them is when I realized it was still going forward. I didn't know it was going
1596 forward until the DA called, said they need to talk with me, so, and that was
1597 one of the first things I brought up. I said, "Look, I got - there were some text
1598 messages that came through that you might be interested in," so.
1599
1600 Q: And after your DA's interview did you contact (Holden) and give him this
1601 info?
1602
1603 A: Why would I?
1604
1605 Q1: (Unintelligible) give it to the DA.
1606
1607 A: Why - why would I call him and give it to him when the DA's got it?
1608
1609 Q1: (Unintelligible)...
1610
1611 Q: Well, 'cause he's doing the Sex Crime investigation. I'm just asking if you
1612 did.
1613
1614 A: To me it seem kinda irrelevant to call him when the DA already had it.

1615
1616 Q1: When you look at the hierarchy of - of authority the DA is higher than the Sex
1617 Crimes investigator.
1618
1619 A: And I - I still have all those e-mails and stuff. So I mean if - if you don't have
1620 'em and they're not on there you guys are more than welcome to 'em. It's not
1621 - not a big concern of mine.
1622
1623 Q: So when (Moncreff) called you had these discussions with you...
1624
1625 A: Mm-hm.
1626
1627 Q: This is kind of a long general question but I just...
1628
1629 Q1: Talking about the first discussions where he's...
1630
1631 Q: Yeah.
1632
1633 Q1: ...all spun up?
1634
1635 Q: Where he - where he's spun up.
1636
1637 A: Mm-hm.
1638
1639 Q: He's calling you. He talk to you three times, maybe four times, sent you text
1640 messages.
1641
1642 A: Mm-hm.
1643
1644 Q: You did have discussions with him obviously.
1645
1646 A: Yeah, they were pretty short, but yeah.
1647
1648 Q: He seem - he seem spun up. You use words like freaked out and etcetera,
1649 etcetera.
1650
1651 A: Mm-hm.
1652
1653 Q: You actually made mention later that you were concerned to the point that you
1654 thought (Moncreff) might kill himself.
1655
1656 A: Oh, absolutely.
1657
1658 Q: When did you formulate that thought?
1659

1660 A: When he was - the last time I talked to him when he was getting ready to get
1661 off the freeway, I could - I could - I could, you know, hear in his voice all the
1662 - the panic. I have- I still have no idea what the allegations were, but
1663 obviously I knew there was something more to it um, and uh, when I started
1664 getting these messages from his wife um, that, you know, they won't believe
1665 what he's accusing me of, and that's what they're saying and knowing how
1666 spun up he gets about things that was definitely a concern.
1667
1668 Q: To being that spun up did it occur to you to ask him additional questions about
1669 why he would be so concerned over a petty phone call?
1670
1671 A: At the point where he was going down to talk to (Holden), I'll be honest with
1672 you I didn't wanna get involved with it anymore.
1673
1674 Q: (Unintelligible). And just in general being that spun up...
1675
1676 A: (Unintelligible).
1677
1678 Q: ...this is just...
1679
1680 A: Right.
1681
1682 Q: ...(unintelligible) get in your head.
1683
1684 A: Right.
1685
1686 Q: I know you're saying you wish you would ask more questions. So I guess I'm
1687 asking you why didn't you if he was so spun up over just a phone call...
1688
1689 A: Right.
1690
1691 Q: ...that you're concerned about him and he's freaking out, etcetera, etcetera...
1692
1693 A: Right.
1694
1695 Q: ...did it occur to you that - to ask more questions, to delve into it when he's
1696 saying...
1697
1698 A: (Unintelligible)...
1699
1700 Q: ...he had just got a phone call and in your mind you're thinking well, I give
1701 out my number and I get a phone call.
1702
1703 A: Right.
1704

1705 Q: So what's the deal man?

1706
1707 A: Right. To ask him more questions at that point in time, no, because that was
1708 normal. That was - that was his normal behavior. Um, had - had I not worked
1709 around the guy and he'd just come to my squad and I didn't know him, I - I
1710 probably would've been a little more concerned, but having dealt with him for
1711 about a year it was completely normal - not - not even - nobody else in my
1712 squad that's normal for. Him that was normal.

1713
1714 Q: So he's just kind of a...

1715
1716 A: He - he - he's wound tight. I don't know how to say it any better.

1717
1718 Q: (Unintelligible).

1719
1720 A: I mean, he was - he was a good officer for me. I mean, he worked his butt off,
1721 and he was doing some amazing stuff, and I'm writing him accommodations
1722 for his amazing work that he's doing, but he was always worried about
1723 something - always worried about something, and I didn't give a whole lot of
1724 credibility when he was worried about things at work either, you know, and I -
1725 I - I didn't - I didn't throw fuel on his fire so to speak. I just kinda, "Dude,
1726 chill out, relax." You know this is not that big a deal. You know let's talk
1727 about it tomorrow and that's kinda the way I took it when he first called about
1728 that other stuff and I didn't - I was almost to the point, I was, "Hey, you know,
1729 that - that's good. You know you got - somebody's calling you back throwing
1730 you some information - throwing you a bone. That's good. We'll get her
1731 hooked up with the right people and, you know, I'll (unintelligible) for, you
1732 know - you know, talking to a person and getting, you know, be willing to call
1733 back and help us out," and I mean, that's the way I got 'em all before, you
1734 know, through officers that were willing to, you know, have 'em call back.
1735 Um, you know, obviously the point where he got to the - where it kinda - the
1736 light bulb started going on realizing there was a lot more to it after he called
1737 the Chief, hell no, I didn't wanna talk to him about anything.

1738
1739 Q1: I can tell you though, if you - if you call him tomorrow say, "This is
1740 (unintelligible) Righthouse down in Internal Affairs, I'd really, really like to
1741 talk to you. I really need to talk to you," you'd probably get some sense of
1742 where his head was at, but if it wasn't unethical and I'd get disbarred for it,
1743 what I would do is after you make that call, I would invite you into my office
1744 and I'd put you on loud - put him on loud speaker because the next call he's
1745 gonna make is to me, and you would then get a sense for what he's talking
1746 about.

1747
1748 Q: (Unintelligible).

1749

1750 Q1: I mean it's...
1751
1752 A: And I don't know how to explain it.
1753
1754 Q1: Uh, yeah, and it's a short journey, too. I mean, he might be able to maintain
1755 talking to you...
1756
1757 A: (Unintelligible).
1758
1759 Q1: ...but not when he would be making that call to me.
1760
1761 A: And I find it kinda interesting you asked about his - my concern for his
1762 condition because yes, it was. I mean, I - I was definitely concerned when I
1763 felt the direction things were going even not knowing what was going on - get
1764 in conversations with, you know, with his wife and the texts from his wife, I
1765 was very much concerned about how hyper he was that he might try and do
1766 something, and from the information I got down the road - 'cause I mean, I
1767 call - I call the captain. I think that was - I think it was (Anastasia) said,
1768 "Look, I'm worried about - about him," the direct- the uh, the feeling I get
1769 where this is going, I said, I'll be honest with you, I'm concerned he might
1770 commit suicide. I said, "I just wanna make sure that my information is being
1771 passed on to whoever it is that can mention that resources are provided for
1772 him to help deal with those thoughts and those kinda things." She goes, "It's
1773 a valid concern. We already recognize that," and uh, chaplain and focus or
1774 whatever it is, that - that - I can't remember how she said it, but she threw out
1775 the, you know, the right words - have been provided and he is, you know,
1776 working through things with them. I said, "Okay, good." 'Cause that - to be
1777 honest with you, if I hadn't said anything and he ended up hurting himself,
1778 god, I'd live with that for the rest of my life.
1779
1780 Q1: Well, I know - I know I had conversations with uh, I wanna say it was
1781 (Anastasia). It may have been uh, I know I had conversations with her and -
1782 and (Terrance), and uh, I - I've never talked to Steve until basically he - you
1783 contacted him for this interview because at that time I - I - I wanna say that
1784 (Charlotte) was - was his sergeant or...
1785
1786 A: (Unintelligible).
1787
1788 Q1: ...Acting Lieutenant or whatever it was, and then (Anastasia) was the captain,
1789 and I remember one or both of them telling me that, "Listen, you need to
1790 check in with him and you need to make sure that he is not uh, gonna do
1791 something stupid." So that - I mean, that - that concern, you know, I don't
1792 know if they got that from Steve or they got that from their own observations
1793 of his - his conduct. But I know that the command specifically called me to
1794 specifically tell me that they were concerned that he was a suicide risk.

1795
1796 A: I (unintelligible).
1797
1798 Q1: That's (unintelligible).
1799
1800 A: Well, and - and then - and then I'm - I'm talking to - to (Leslie) um, about
1801 this. She says, "Yeah, it got to the point that where he was on the ground
1802 crying." I'm like, "Oh, fucking great." You know? So I'm just, you know,
1803 and - and at that point I st- I still didn't know - other than I knew Sex Crimes
1804 was dealing - I didn't know if it was a minor thing, fricking major thing. It
1805 was another (Rabalos) or if it was just, you know, or I had no idea what it was,
1806 but then when I heard that he was to the point that he was just - had lost it, and
1807 I'm like, oh, I mean, I - I don't know fricking felt horrible.
1808
1809 Q: Let me ask you - I think that I just have one last question.
1810
1811 A: Sure.
1812
1813 Q: Uh, you talk about (Moncreff) and getting commendations etcetera, etcetera...
1814
1815 A: Mm-hm.
1816
1817 Q: ...but he's (unintelligible) I understand also. So during his interview with Sex
1818 Crimes...
1819
1820 A: Mm-hm.
1821
1822 Q: ...he admits to policy violations.
1823
1824 A: Okay.
1825
1826 Q: And what he says when he mention these is, he makes statements a couple of
1827 times that he says, "I told Sergeant Riddle that I did, and I did."
1828
1829 A: Did what?
1830
1831 Q: I un-handcuffed her when we went from Headquarters to (Los Colinas), I did
1832 un-handcuff her. She was in the back un-handcuffed. I told him that, and I
1833 knew it was a violation," and he makes several statements like that.
1834
1835 A: Okay, I...
1836
1837 Q: Could he have told you that he un-handcuffed her on the way to (Colinas)?
1838

1839 A: I - I don't - I don't remember having the conversation with him. I'm not
1840 gonna lie and say that maybe he did and I didn't catch it. I - I - I don't
1841 remember him saying anything.
1842
1843 Q: (Unintelligible).
1844
1845 A: No. No, I don't.
1846
1847 Q1: Bret, can you tell from the context of - of his statement - because I - I don't
1848 know the answer to this. When he went down to Sex Crimes, I wasn't with
1849 him, so he - he actually went - went down on his own, but can you tell from
1850 that whether he is referring to, I told Sergeant Riddle back at the - on the date
1851 of arrest, or whether he was referring to, I told Sergeant Riddle when I just
1852 recently talk to him?
1853
1854 Q: He was talking about talking to Sergeant Riddle on the phone, and he was
1855 basically saying that he confessed. "I told Sergeant Riddle that I un-
1856 handcuffed her. I told Sergeant Riddle that I gave her my phone number. I
1857 know they're both policy violations," and he even says like, "I swear to God.
1858 I could take a lie detector test. I told," like he's trying to say that he's
1859 admitting his fault.
1860
1861 Q1: Who wa- who was his sergeant at the time of the arrest? Do we know?
1862
1863 Q: Um...
1864
1865 Q1: I don't know if that was (unintelligible)...
1866
1867 Q: ...I - I think it...
1868
1869 A: No, wh- when - actually, when this all started he called me, he wasn't working
1870 for me.
1871
1872 Q: No, the - the arrest though, when he made the arrest.
1873
1874 Q1: No, I'm talking about...
1875
1876 A: On, you mean - oh, that was before he came to me.
1877
1878 Q: Yeah, that was...
1879
1880 Q1: Okay.
1881
1882 A: Yeah.
1883

1884 Q: ...(Char)...
1885
1886 A: No - no - no - no.
1887
1888 Q: I can't remember.
1889
1890 A: He was uh...
1891
1892 ((Crosstalk))
1893
1894 A:he was another shift. Yeah, 'cause I think I picked him up in...
1895
1896 Q1: Okay. I just wanna make sure that - that...
1897
1898 A: (Unintelligible), yeah.
1899
1900 Q1: ...that whatever it is that (Don) was referring to wasn't referring back to the
1901 date of arrest.
1902
1903 Q: Yeah, he was actually referring to...
1904
1905 A: Me?
1906
1907 Q: ...calling Sergeant Riddle and basically...
1908
1909 Q1: Okay.
1910
1911 Q: ...trying to confess his - why he was freaked out.
1912
1913 A: Okay.
1914
1915 Q: He knew - he knew when this girl called is basically what he was explaining
1916 that, "I gave her my phone number and I think that's a policy violation, and I
1917 un-handcuffed her in the back of the car, and that's a violation, and I'm
1918 admitting to that, and you can even ask Sergeant Riddle that I
1919 (unintelligible)...
1920
1921 A: Well...
1922
1923 Q: ...told Sergeant Riddle.
1924
1925 A: ...I tell you what, had it been that clear I, "Okay, dude, you need to meet me
1926 downtown or - or in the office," or whatever it is, and deal with it. Nothing
1927 was ever that clear about anything, and like I said, I - I still don't remember
1928 him men- mentioning anything about handcuffing, but I don't remember him

1929 ever saying anything about copping out to do anything wrong, other than the
1930 fact that I think I gave somebody my number. I think it's in violation of
1931 policy. I said, "I'm not aware of it," of which one it is or is.
1932
1933 Q: When - when he talked to you, (Moncreff).
1934
1935 A: Mm-hm.
1936
1937 Q: On the phone...
1938
1939 A: Mm-hm.
1940
1941 Q: You're - you're describing him as freaked out, wound up, spazed out,
1942 whatever.
1943
1944 A: Right.
1945
1946 Q: How was he speaking? Was it clear and slow like we're talking right now?
1947
1948 A: No.
1949
1950 Q: Or was he wound up and rambling and could he have said things that you're
1951 not aware that he said?
1952
1953 A: Most of my conversations with him he was kinda wound up and rambling
1954 most of the time. In fact, that boy could not send a text that was less than a
1955 sentence. I mean, all of his texts are like - I'd say - in fact, I used to, "Dude,
1956 just call me if you're gonna send a text this long 'cause I don't wanna read it."
1957 Um, you know, so he never could say anything short. It was always drawn
1958 out.
1959
1960 Q: All right, but you don't remember any specific conversation of him
1961 mentioning...
1962
1963 A: With him confessing his soul?
1964
1965 Q: ...anything like that?
1966
1967 A: No.
1968
1969 Q: I don't think I have anything else. Do you?
1970
1971 A: No.
1972
1973 Q1: (Unintelligible).

1974

1975 Q: Anything else you'd like to add?

1976

1977 A: No, I think I've gone over it a buncha times. Hopefully this is the last time I
1978 have to go over it because just...

1979

1980 Q: It's about 2320, and that's (unintelligible).

1981

1982

1983 This transcript has been reviewed with the audio recording submitted and it is an accurate
1984 transcription.

1985 Signed _____

Text Messaging Between Officer Moncrief and Sergeant Riddle

SMS Messages (15)

#	Party	Date	Time	Fold	Status	SMS	Message	Column
1	From: [REDACTED]	1/28/2014	1/28/2014 7:19:41 PM(UTC+0)	Inbox	Read		Just between you and I Serge this team is not run right. And I think the mismanagement comes from the command down but this team could be utilized so much better	
2	From: [REDACTED]	1/28/2014	1/28/2014 10:25:38	Inbox	Read		I saw Jovana was sharing in lineup. That was surprising. Anything good?	
3	From: [REDACTED]	2/2/2014	2/2/2014 8:40:49 PM(UTC+0)	Inbox	Read		That is a felony if it was on church property. Do they have cameras by any chance	
4	To: [REDACTED]	2/3/2014	2/3/2014 12:37:19 AM(UTC+0)	Sent	Sent		We will have to give that some attention	
5	From: [REDACTED]	2/6/2014	2/6/2014 2:38:05	Inbox	Read		Gilly's graffiti had to have been at some point from the 24th through the 28th	
6	To: [REDACTED]	2/6/2014	2/6/2014 5:58:39	Sent	Sent		Took photo on e park at 1900 on 01/18/14. It wasn't there the day before	
7	To: [REDACTED]	2/10/2014	2/10/2014 8:36:00	Sent	Sent		Will call u back in couple	
8	From: [REDACTED]	2/10/2014	2/10/2014 8:39:29 PM(UTC+0)	Inbox	Read		Hey Sarge, I was wondering if you sent my COC to HR? Charlot was saying that you sometimes have to take them up so it shows on your data sheet for detectives interviews.	
9	From: [REDACTED]	2/11/2014	2/11/2014 12:28:35	Inbox	Read		Is it OK with you if Hendee transports out 10-16 with the two bindles of Meth	
10	To: [REDACTED]	2/11/2014	2/11/2014 12:47:44	Sent	Sent		Sure	
11	From: [REDACTED]	2/19/2014	2/19/2014 12:29:32	Inbox	Read		Are you available for a call	
12	From: [REDACTED]	2/19/2014	2/19/2014 1:50:53	Inbox	Read		Sarge anything you can find out just text me or leave me a voice mail. I don't want my wife to feel as freaked out	
13	From: [REDACTED]	2/19/2014	2/19/2014 3:35:15	Inbox	Read		Also I know your busy but do you have Jonathan Weise's number. I have never had to go up to the 7th	
14	From: [REDACTED]	2/19/2014	2/19/2014 7:40:40	Inbox	Read		I haven't slept at all	
15	To: [REDACTED]	2/19/2014	2/19/2014 11:22:44 AM(UTC+0)	Sent	Sent		U are fine. This is nothing to stress over. There was nothing but honorable meaning behind your actions. You did what any Godly man would. You actually care about people and even though you love to lock up the bad ones you want to see the good/ potential in people. I have had the opportunity to get a small handful of people out of the gang and drug life. It never would have happened if I hadn't reached out with some compassion. You did a good thing. Get some sleep. I will talk with you some more tomorrow at work. God bless. :)	

ZZZZZZZZ

